

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58518 of 2023

Arising Out of PS. Case No.-44 Year-2022 Thana- JEHANABAD COMPLAINT CASE
District- Jehanabad

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Ramjee Paswan S/O Late Nanhku Paswan, R/O Village- Barawan, P.S- Kako,
Distt.- Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Punam Kumari W/O Ujjwal Kumar, D/O Arun Paswan, R/O Village- Barawan, P.S- Kako, Distt.- Jehanabad, presently residing at Village- Saraura, P.S- Daniyawan, Distt.- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Prasad, Advocate
For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 13-12-2023 Heard Mr. Shivendra Prasad, learned counsel

appearing on behalf of the petitioner and Ms. Veena Kumari
Jaiswal, the learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection

with Complaint Case No. 44 of 2022, wherein cognizance has

been taken for the offence punishable under Section 498(A) of
the Indian Penal Code and Section 4 of the Dowry Prohibition
Act.

3. Allegedly, the marriage of the petitioner has been

solemnized with the son of the petitioner on 24.07.2021 as per
the Hindu rights and custom. However, soon after the marriage
the OP No. 2 was subjected to demand of dowry and on account

of non-fulfillment of the same, she was tortured in various ways and finally ousted from her matrimonial home on 01.02.2022.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is father-in-law of the complainant and there is omnibus nature of allegation against all the family members. There is no specific allegation against him. He drew the attention of this Court to the complaint petition and with reference thereto, he submits that the specific allegation of demand of dowry has been levelled against the co-accused Ujjwal Kumar, who happens to be the husband of the complainant. He next submits that the petitioner has no concern with the affairs of the OP No. 2 and her husband and in fact, he is a mute spectator residing in his house. He lastly submits that be that as it may, he is ready to cooperate in the investigation or the proceeding in the Court.

5. On the other hand, learned counsel appearing on behalf of the State opposed the pre-arrest bail application and submits that specific allegation has been levelled against the petitioner of demand of dowry.

6. It is to be noted that earlier notice was issued to the OP No. 2 and she has also filed a *vakalatnama* which is on record, but there is none to represent the OP No. 2.

7. Regard being had to the submissions made on behalf of the parties and considering the fact that the petitioner is father-in-law of the OP No. 2 having fair antecedent and he undertakes that he will fully cooperate in the investigation or in the proceeding, let the petitioner above named be released on bail, in the event of his arrest or surrender before the Court below within a period of four weeks from the date of receipt / production of a copy of this order, upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Jehanabad in connection with **Complaint Case No. 44 of 2022**, subject to the conditions laid down in Section 438(2) of Cr.P.C. with the further condition that one of the bailors shall be the own / close family members of the petitioner.

(Harish Kumar, J)

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