

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63869 of 2022

Arising Out of PS. Case No.-142 Year-2020 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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NIVASH KUMAR PASWAN @ MANTUN @ NIVASH PASWAN Son of
Upendra Paswan R/v- Maniyarpur, P.S.- Ghatho, District- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. ANJU KUMARI Wife of Nivash Kumar Paswan @ Mantun R/v-
Maniyarpur, P.S.- Ghatho, District- Samastipur. At present D/o Ram Sewak
Paswan, R/o village- Jalalpur, Ward No.- 8, P.S.- Dalsinghsarai, District-
Samastipur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy, Adv.
For the Opposite Party/s : Mr. Rajendra Singh, Adv.

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**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

2 24-04-2023

1. Heard both the parties.

2. The petitioner seeks bail in anticipation of his arrest in
connection with T.R. No. - 1519 of 2022 arising out of Complaint
Case No. 142 of 2020 dated 06.07.2020, instituted for the offences
under Sections 341, 323, 379, 452, 380, 384, 504 of the I.P.C. but
Cognizance has been taken under Section 498A of the I.P.C. and
Sections 3/4 of D.P. Act, pending in the Court of learned S.D.J.M.,
Dalsinghsarai, Samastipur.

3. Learned counsel for the petitioner submits that the
marriage took place in 2015 and there are two children born from
their wed-lock and because of difference of opinion the F.I.R. has



been lodged.

4. Learned APP for the State opposes the prayer for grant of bail.

5. Taking into consideration the overall circumstances, I am inclined to grant anticipatory bail to the petitioner, namely, Nivash Kumar Paswan@Mantun@Nivash Paswan and in the event of arrest, he shall be released on bail subject to the conditions as laid down under Section 438(2) of the Cr.P.C., which are as under:-

I. The petitioner shall cooperate with the investigation and make himself available for interrogation whenever required.

II. The petitioner shall not directly or indirectly make any inducement, threat or promise to any witness acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer,

III. The petitioner shall not obstruct or hamper the police investigation and not play mischief with the evidence collected or yet to be collected by the police;

IV. The petitioner shall maintain law and order;

V. The petitioner shall, at the time of execution of the bond, furnish his address and mobile number to the investigating officer, and the court concerned, and shall not change the residence till the final disposal of the case;

VI. The petitioner shall surrender his passport, if any, before the investigating officer within a week and, if he does not



possess any passport, he shall file an affidavit to that effect before the investigating officer;

VII. The petitioner shall regularly remain present during the trial and cooperate with the Hon’ble court to complete the trial for the above offences.

(Sanjeev Prakash Sharma, J)

Suraj/-
Item No. 91

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