

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73303 of 2022

Arising Out of PS. Case No.-732 Year-2020 Thana- PATNA COMPLAINT CASE District-
Patna

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RAHUL PASWAN S/o Sri Kamlesh Paswan R/o Village- Bichli Malahi, Kali
Sthan, P.S.- Barh, Distt- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Smt. Anjusha Kumari W/o Sri Rahul Paswan, D/o Sri Bakhori Paswan R/o
Village- Bankipore Machriyaon, P.S.- Fatuha, Distt- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Shankar Choudhary, Adv.

For the Opposite Party/s : Mr. Rajendra Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-04-2023 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in connection with

Complaint Case No. 732(C) of 2020 07.12.2020 registered

for the offence under Sections 498A of the Indian Penal Code

and Section 3/4 of the D.P. Act.

Allegedly, the complainant is subjected to assault

and torture by the petitioner and his family members on

account of non-fulfillment of demand of dowry.

Learned counsel appearing for the petitioner

submits that the petitioner, who is of clean antecedent, is

innocent and has falsely been implicated in this case. He



further submits that the allegation levelled in the F.I.R. against the petitionr is false and fabricated as because no such occurrence as narrated in the complaint ever took place. He further submits that the petitioner has never demanded any dowry or assaulted her in any manner. He further submits that as a matter of fact, the complainant herself does not want to reside with the petitioner, however, the petitionr is ready to keep her as a wife with full honour and dignity. Statement to that effect has already been made in paragraph 10 of the application. The petitioner is rotting in judicial custody since 28.11.2020.

Learned A.P.P. for the State as well as learned counsel for the complainant opposed the prayer for bail of the petitioner and fairly submits that the complainant is also ready to live with the petitioner if the petitioner keeps her with full honour and dignity.

Considering the submission advanced on behalf of the parties, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Patna City, Patna in connection with Complaint Case No. 732 of 2020 with the following



conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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