

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12287 of 2024

Arising Out of PS. Case No.-19 Year-2023 Thana- MAHILA P.S. District- Vaishali

Pravin Kumar @ Prabind Paswan S/O LATE GANNU PASWAN R/O
VILLAGE- MURTUJAPUR, PS.- JANDAHA, DIST.- VAISHALI.

... .. Petitioner/s

Versus

1. The State of Bihar
2. SHOBHA DEVI W/O Pravin Kumar @ Prabind Paswan, D/o Bimal Paswan
R/O VILLAGE- KANCHANPUR, PS.- BIDUPUR, DIST. VAISHALI.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anil Kumar
For the State	:	Mr. Mritunjay Kumar Nirala
For the Opposite Party	:	Mr. Anuj Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

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| 2 | 12-03-2024 | <ol style="list-style-type: none">1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.2. This application, for grant of anticipatory bail, arises out of Mahila Hajipur Police Station Case No. 19 of 2023, dated 07.07.2023, disclosing offences under Sections 341/323/498-A/504/506/34 of the Indian Penal Code.3. The prosecution case, as per the First Information Report, is that the marriage of the informant was solemnized with the petitioner on 19.09.2020. After six months, the petitioner, along with his family members, started demanding a sum of Rs. 5,00,000/- as dowry and due to non-fulfillment of demand, the informant was tortured physically and mentally and ultimately ousted her from |
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matrimonial home. It has further been stated that first husband of the informant was Raju Paswan, elder brother of the petitioner, who died in the year 2018 and from the wedlock two girl child were born.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has not committed any offence in the manner alleged and he has been implicated in this case on the basis of concocted story. He next submits that the petitioner has never solemnized marriage with the informant, who is his sister-in-law (bhabhi). The present First Information Report has only been lodged in order to pressurize the petitioner to solemnize marriage with her. Learned counsel further submits that the age of the petitioner is only 24 years, whereas, the informant is 34 years of age. The petitioner has filed a case before learned Family Court of Vaishali at Hajipur bearing Wedding Ceremony Case No. 21 of 2024 on 16.01.2024.
5. On the other hand, learned counsel for the informant opposes the prayer for bail and submits that the petitioner is husband of the informant and he, alongwith other family members, demanded a sum of Rs. 5 Lakhs as dowry. He next submits that the petitioner alongwith others tortured the informant and are not willing to keep



her in matrimonial home.

6. Regards being had to the submissions made on behalf of the parties and upon going through the materials available on record, it appears that the petitioner has denied the factum of marriage, admittedly, the informant is sister-in-law (bhabhi) of the petitioner aged about 34 years and is having two children and the petitioner has filed a case challenging the validity of alleged marriage, I am inclined to grant the petitioner privilege of anticipatory bail.
7. This application is, accordingly, allowed.
8. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, 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 Chief Judicial Magistrate, Hajipur, Vaishali, in connection with Mahila Hajipur Police Station Case No. 19 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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