

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37589 of 2024

Arising Out of PS. Case No.-444 Year-2023 Thana- ALAMGANJ District- Patna

Kundan Kumar @ Kundan Paswan Son of Suresh Paswan R/o Village -
Hathsarganj, Hajipur, P.S.- Hajipur Town, District - Vaishali, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sanjana Kumari Daughter of Late Umesh Paswan W/o Kundan Kumar @
Kundan Paswan, R/o Nauzar Ghat, Diwan Mohalla, P.S. - Alamganj, District
- Patna, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Prakash Chandra, Adv.
For the Opposite Party/s :	Ms. Nirmala Kumari, APP.
	Mr. Jay Ram Prasad, Adv.
	Mr. Deepak Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 12-11-2024 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the informant.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 504, 498A, 420, 34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. Petitioner, who is husband of informant, is said to have tortured upon her physically and mentally in association of his family members over the dowry demand.

4. It is submitted by learned counsel for the petitioner that the petitioner is an innocent person and has committed no offence. He has falsely been implicated in the present case due



to ulterior motive. He has neither made any dowry demand nor tormented her over the demand of dowry. All the allegation levelled against the petitioner is totally false and based on concocted facts. The real fact is that the informant herself did not want to live in her matrimonial house with her in-laws and when the petitioner and his parents tried to understand her, she became furious and threatened the petitioner to implicate him and his family members in a false case. Learned counsel further submits that petitioner no criminal antecedent as mentioned in para 3 of the bail application.

5. In that view of the matter, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Alamganj P.S. Case No. 444 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

6. Petitioner is ready to pay Rs. 3,000.00 (Rupees Three Thousand) per month to the informant in the second week of every month. If the petitioner fails to pay the aforesaid amount



on two consecutive months, informant shall be at liberty to move before the learned Court below for cancelling the bail bond of the petitioner.

7. It goes without saying that the aforesaid payment shall be subject to any order being passed in matrimonial maintenance case or any other collateral proceedings.

8. Learned counsel for the informant is directed to furnish the bank account details of the informant in the learned Court below. If she fails to furnish the same, the aforesaid amount will be deposited in the learned Court below which will be released in favour of the informant after she furnishes her bank account details.

9. If so advised, either of the parties will be at liberty to make an application before the learned Court below for referring the matter to the District Mediation Center for the purpose of reconciliation or one time settlement.

10. With the aforesaid observation and direction, this application stands disposed of.

(Anjani Kumar Sharan, J)

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