

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42657 of 2023

Arising Out of PS. Case No.-49 Year-2022 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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1. Dilip Paswan @ Dilip Kumar Singh Son Of Late Ram Swaroop Paswan @ Late Ramrup Paswan R/O Village-Karah Bajap Par, P.S.-Silao, District-Nalanda
 2. Manoj Paswan @ Anil Kumar Son Of Late Ram Swaroop Paswan @ Late Ramrup Paswan R/O Village-Karah Bajap Par, P.S.-Silao, District-Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ravindra Paswan S/O Late Chandeshwar Paswan Resident Of Village And Post- Pachlova, P.S.-islampur, District-Nalanda

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar
For the Opposite Party/s	:	Mr. Md. Ataur Rahman
For the Complainant	:	Mr. Arvind Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 29-01-2024 Heard learned counsel for the petitioners, learned
A.P.P. for the State and learned counsel for the complainant.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Section 323 of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

3. It is alleged that at the time of settlement of marriage, the complainant had given Rupees Five Lakhs to the petitioners. Thereafter, ring ceremony was held on 14.07.2019 and when the complainant asked to fix the date of marriage, they procrastinated to do so and finally the petitioners refused to



marry. It is further alleged that despite repeated demand, the petitioners and other accused persons refused to return the said amount, which resulted into institution of the present complaint.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that the petitioners are living separately with the co-accused, Sandeep Paswan, who has been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 06.12.2023 passed in Cr. Misc. No. 61246 of 2023. He further submits that when the father of the petitioners died, then the present case was lodged by the complainant. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the complainant opposed prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case and the nature of the offence, let the above named petitioners, be released on bail, in the event of their 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) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Complaint Case No.49C of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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