

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54644 of 2024

Arising Out of PS. Case No.-1229 Year-2022 Thana- NAWADAH COMPLAINT CASE
District- Nawada

=====

Dwarika Paswan Son of Late Kishun Paswan R/O Vill.- Jamheta, P.s.-
Fatehpur, Dist.- Gaya. At Present Mohalla- Ramnagar Karma Road, P.s. and
Dist.- Aurangabad.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Ramrati Devi Wife of Dwarika Paswan R/O Vill.- Mahwatpur, P.s.- Sirdala,
Dist.- Nawada

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Birendra Kumar
For the Opposite Party/s : Mr. Ajit Kumar

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 14-11-2024

Heard learned counsel for the parties.

2. Though the notice has validly been served on the
opposite party no. 2, but nobody appeared on behalf of the
opposite party no. 2.

3. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 120(B), 307,
323, 379, 494, 420, 406, 467, 468 of the Indian Penal Code.

4. Petitioner, who is husband of opposite party no2.,
is said to have ousted the opposite party no.2 from her matrimonial
home in association of his family members over the dowry
demand.

5. Learned counsel for the petitioner submits that the
petitioner is an innocent person and has committed no offence.
Petitioner has neither made any dowry demand nor drove her out
of her matrimonial home nor tormented her over the demand of



dowry. He submits that there is misuse of provision u/s 498(A) of I.P.C. by an old lady after 47 years of her marriage against an old retired person aged about 67 years. The petitioner has one criminal antecedent as mentioned in para-3 of this application.

6. 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 Complaint Case No. 1229 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C..

7. 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.

8. Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

anand/-

U		T	
---	--	---	--

