

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6605 of 2025

Arising Out of PS. Case No.-1265 Year-2022 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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Bibhash Paswan @ Vibhash Paswan @ Md. Firoj @ Md. Firoj Alam S/O
Doman Paswan R/O Manihari, Gandhi Tola Road, Ward no 2, P.S-Manihari,
Distt- Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ajmeri Khatoon W/O Vibhash Paswan @ Md. Firoj @ Md. Firoj Alam R/O
Manihari, Gandhi Tola Road, Ward no 2, P.S-Manihari, Distt- Katihar.
Present Address- D/O Md. Jalil, R/O Mohalla- Sharifganj, Katihar, P.S-
Sahayak, Distt.- Katihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Ram Sevak Choudhary, APP
For the Complainant	:	Mr. Ratnakar Ambastha, Advocate

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

5 06-05-2025 Heard learned counsel for the petitioner, learned
counsel for the complainant and learned APP for the State.

2. The petitioner seeks bail in connection with CA
Case No. 1265 of 2022 instituted for the offences under Sections
498A of the Indian Penal Code and 4 of Dowry Prohibition Act.

3. Prosecution case, in short, is that, petitioner



alongwith other co-accused persons subjected the complainant to cruelty and torture due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. Learned counsel further submitted that petitioner never solemnized marriage with the complainant and whole prosecution story is based on false and concocted story of marriage. Learned counsel further submitted that, as a matter of fact, petitioner is already a married person who lives with his wife namely Suchi Devi and two children. Learned counsel further submitted that petitioner never tortured the complainant, never subjected her to cruelty and never demanded any dowry. It has been submitted on behalf of the petitioner that the petitioner is in custody since 14.10.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State and learned counsel for the complainant vehemently opposed the prayer for grant of bail to the petitioner. Learned counsel for the complainant submitted that petitioner is the husband of the complainant and in support



of his argument he has already annexed Nikahnama to the counter-affidavit. Learned counsel for the complainant further submitted that this petitioner along with his family members demanded dowry from the complainant and when his demand was not fulfilled, he subjected the complainant to cruelty.

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with CA Case No. 1265 of 2022, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the witnesses or threatens the complainant or her family members, in that case, the prosecution will be at liberty to move for



cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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