

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9763 of 2025

Arising Out of PS. Case No.-381 Year-2018 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

=====

Shashikant Paswan @ Shashikan Paswan Son of Rajkumar Paswan R/V-
Gopalpur P.S- Dinara Distirict -Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar bihar
2. Sonam Devi Wife of Shashikant Paswan village- Gopalpur, Ps- Dinara
Rohtas Bihar Daughter of Vinay Paswan P/A- village- Sundar, Ps- Dawath,
Dist- Rohtas

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr.Rakesh Kumar Mishra, Adv.
For the O.P. No. 2	:	Mr. Raghunandan Kumar Singh, Adv.
For the State	:	Mr.Bishweshwar Ram, APP

=====

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 15-04-2025 Heard learned counsel for the petitioner, learned
counsel for the O.P. No. 2 and learned A.P.P for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Protest-cum-Complaint
Case No. 381/2018 dated 18.07.2018 registered for the offences
punishable u/ss 120B, 323, 498A, 494 and 504 of the I.P.C. but
cognizance has been taken u/ss 323, 498A and 494 of the I.P.C.

3. As per the prosecution case, the petitioner and the
co-accused persons are alleged to have tortured the Complainant
mentally and physically due to non-fulfillment of demand of
dowry and ousted her from the matrimonial home. The



Complainant apprehends that the petitioner has contracted second marriage with another lady.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is the husband of the Complainant and he has no concern with the alleged offence. The petitioner neither demanded any dowry nor tortured the Complainant. Learned counsel has further submitted that the Complainant who herself left the house in the year 2015 and started living in *Naihar* and she did not return to her matrimonial home rather it was flatly refused in the year 2018 which resulted in bringing the Matrimonial Suit bearing No. 223/2018 (Annexure-P/3) dated 05.07.2018 under Section 9 of the Hindu Marriage Act before the Principal Judge Family Court, Sasaram. It is further submitted that the petitioner has already been granted anticipatory bail by a Coordinate Bench of this court vide order dated 09.05.2022 passed in Cr. Misc. No. 73840/2019. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 18.10.2024.

5. Learned A.P.P. for the State and learned counsel for the O.P. No. 2 have vehemently opposed the bail petition of the petitioner.



6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Bikramganj, Rohtas at Sasaram in connection with Complainant Case No. 381 of 2018.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Gautam/-

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

