

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10139 of 2025

Arising Out of PS. Case No.-2154 Year-2017 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Sajjan Paswan, Son of Narayan Paswan @ Pakauri Paswan, Resident of
Village- Bherokhra, PS- Tajpur, District- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Uday Shankar Paswan, Son of Ramvilas Paswan, Resident of Village-
Bhusari, PS- Samastipur Muffasil, District- Samastipur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Bijay Bhushan Prasad, Advocate. Mr. R.S. Bharti, Advocate.
For the State	:	Mr. Anil Kumar Singh No. 1

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 07-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Complaint Case No. 2154 of 2017, Trial No.
1235 of 2024 filed for the offences punishable under Sections
498(A), 379 of the Indian Penal Code and Section 3/4 of Dowry
Prohibition Act.

3. As per allegation, additional demand of
Rs.2,00,000/- as dowry was made by the husband and his family
members and on account of non-fulfillment of the same, she has
been subjected to harassment by husband/petitioner and his
family members and she was ultimately ousted from her



matrimonial home. It is further alleged that the husband/petitioner has illicit relationship with another lady.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that the marriage is not working on account of lacking of trust by the complainant/wife on her husband/petitioner and she left the matrimonial home on her own. He further submits that there was no demand of any dowry and there is no question of harassment. He also submits that maximum punishment prescribed for the alleged offence is three years.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the



date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. - V, Samastipur, in connection with Trial No. 1235 of 2024 arising out of Complaint Case No. 2154 of 2017 subject to the conditions as laid down under Section 438 (2) Cr.PC and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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