

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32146 of 2025

Arising Out of PS. Case No.-839 Year-2014 Thana- COMPLAINT CASE District- Supaul

Dinesh Paswan @ Rudal Paswan, son of Mittan Paswan, Village- Pathra,
Ward no. 6, Ps- Pipra, Dist- Supaul.

... .. Petitioner

Versus

1. The State of Bihar
2. Poonam Devi, Wife of Dinesh Paswan @ Roodal Paswan, Village- Supaul
Punarwas, Ward no. 01, PS- Supaul, Dist- Supaul.

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Gopal Kumar Jha, Advocate
For the State	:	Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR

ORAL ORDER

3 01-09-2025 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. 839 of 2014, filed for the offences punishable under Sections 323, 341, 498(A), 379, 380, 504 and 342 of the Indian Penal Code and Sections 3 / 4 of the D.P. Act but the cognizance has been taken only under Section 498(A) of the Indian Penal Code.

3. As per allegation, marriage between the Petitioner and the Complainant was solemnized six years back as per Hindu Rites and Customs and subsequently, the Complainant joined the matrimonial home of the Petitioner and out of the wedlock, one son was also born. However, additional demand of dowry started on the part of the Petitioner/Husband and on



account of non-fulfillment of the same, the Complainant was subjected to cruelty in various ways.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that on account of normal wear and tear of married life marriage is not working and this false case has been filed by the Complainant/wife against the Husband/Petitioner. He also submits that the Petitioner is always ready to keep her and her son in his matrimonial home. Even as per the statement of the Complainant in the course of inquiry, it was stated that she is also willing to live with the Husband/Petitioner, which shows that he is not cruel towards his wife. He further submits that the 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 concerned Court Below, in connection with Complaint Case No. 839 of 2014, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 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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