

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39848 of 2025

Arising Out of PS. Case No.-1521 Year-2023 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

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1. Shushil Kumar Paswan, S/o Baidynath Paswan, R/o Vill- Godhiya, Ward No. 6, P.S.- Bahadurpur, Dist- Darbhanga
 2. Baidyanath Paswan, S/o Late Jugal Paswan, R/o Vill- Godhiya, Ward No. 6, P.S.- Bahadurpur, Dist- Darbhanga
 3. Bimla Devi, W/o Bidyanath Paswan, R/o Vill- Godhiya, Ward No. 6, P.S.- Bahadurpur, Dist- Darbhanga.

... .. Petitioners

Versus

1. The State of Bihar
2. Kanchan Kumari, D/o Ram Sevak Paswan, Presently residing at Vill and P.O.- Sajjanpura, P.S.- Bahera, Dist- Darbhanga.

... .. Opposite Parties

Appearance :

For the Petitioners	:	Mr. Saroj Kumar, Advocate
For the State	:	Mr. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 09-07-2025 Heard learned counsel for the petitioners and
learned APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Complaint Case No-1521 of 2023 Corresponding to T.R. No. 2464 of 2024, filed for the offences punishable under Sections 498(A), 494, 34 of the Indian Penal Code.

3. As per the allegation, subsequent to the marriage, there was additional demand of Rs.5,00,000/- towards dowry and on account of non fulfillment of the same, the victim has



been subjected to cruelty by the petitioner/husband and his family members. Here, Petitioner No.1, Sushil Kumar Paswan is the husband, whereas the Petitioner No.2/Baidyanath Paswan and Petitioner No.3, Bimla Devi are father-in-law and mother-in-law respectively. As per further allegation, the petitioner no.1/husband has also entered into the second marriage.

4. Learned counsel for the petitioners submit that the Petitioners are innocent and have falsely been implicated in this case. He further submits that on account of some wear and tear of married life, the marriage is running into rough weather and the informant/wife has suspicion that her husband/petitioner has entered into second marriage, whereas there is no such fact. He wants to keep his wife and the minor daughter alongwith him, but she is not willing to come to the matrimonial home and the present case is filed on account of some misconception about the second marriage of her husband. He also 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 petitioners have 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



petition that the petitioners have been made accused in one other case in which they are on bail.

7. 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 petitioners above-named, to be enlarged on bail, in the event of their 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 their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection with Complaint Case No-1521 of 2023 Corresponding to T.R. No. 2464 of 2024, 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 petitioners have any criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their 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 petitioners.

(Jitendra Kumar, J.)

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