

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50515 of 2024

Arising Out of PS. Case No.-690 Year-2022 Thana- KHAGARIA COMPALINT CASE
District- Khagaria

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1. Gauri Shankar Paswan son of Prakash Paswan Village- Sabda Ps- Falka Dist- Katihar
 2. Prakash Paswan son of Kutay Paswan Village- Sabda Ps- Falka Dist- Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anita Kumari wife of Gauri Shankar Paswan Village- Sabda Ps- Falka Dist- Katihar, P/A- Rohiyama Chikni Tola Ps- Beldaur Dist- Khagaria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amar Kumar Singh
For the Opposite Party/s : Mr.Pronoti Singh

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

6 03-04-2025 Heard learned counsel for the petitioners
and learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in a case instituted for the offence punishable under Sections 323, 498(A) of the I.P.C. and Section 3/4 of D.P. Act.

3. As per the allegation, complainant was married to petitioner No. 1, Gauri Shankar Paswan in the year 2017. It is further alleged that petitioners started torturing the complainant for



dowry of Rs. 1,00,000/- (one lakh rupees) and a motorcycle. Petitioner No. 2 is father-in-law of the complainant.

4. From perusal of the mediator's report (Flag 'M'), it appears that the dispute between the parties could not be settled through the process of mediation. Hence, mediation failed.

5. In pursuance to the direction of this Court, both parties appeared with their respective counsel.

6. It is submitted on behalf of the petitioners that petitioners are innocent and they have falsely been implicated in the present case. They have neither demanded dowry nor tortured the complainant either physically or mentally. It is further submitted that Petitioner No. 1 (husband of O.P. No. 2) is ready to pay Rs. 3,000/- (three thousand rupees) per month as interim maintenance to the O.P. No. 2 by depositing in the same in her bank account and he will file an affidavit before the trial Court at the time of filing of bail bonds, regarding the aforesaid payment to



show his *bona fide* act. It is further submitted that he is ready to pay two months advance maintenance at the time of filing of bail bonds.

7. The above payment will be adjusted in any order passed in matrimonial proceeding by competent Court.

8. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Complaint Case No. 690 (C) of 2022, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Khagaria, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(S. B. Pd. Singh, J)

Nirajkrs/-



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