

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60885 of 2024

Arising Out of PS. Case No.-891 Year-2018 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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Ajay Kumar Paswan S/o- Jainarayan Manjhi @ Jai Narayan Manjhi @
Jagnarayan Manjhi R/o- Rahimpur, P.S- Madaura, District- Saran at Chhapra

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kalpana Devi wife of Ajay Kumar Paswan, D/o- Rajendra Paswan R/o-
Saidpur, P.S- Shikarpur, District- West Champaran at Bettiah

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Shashank Shekhar, Advocate
For the Opposite Party/s	:	Mr. Bharat Lal, APP
For the Complainant	:	Mr. Niraj Kumar Sharma, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

7 15-05-2025 Heard Mr. Shashank Shekhar, learned counsel for

the petitioner, Mr. Niraj Kumar Sharma, learned counsel
appearing on behalf of the complainant as well as Mr. Bharat
Lal, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Complaint Case No. 891 of 2018 for the
offences punishable under Section 498(A) of the Indian Penal
Code and Section 4 of the Dowry Prohibition Act.

3. According to prosecution case, all the accused
persons including this petitioner tortured the complainant due to
non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case merely on the ground that he is husband of the complainant. He further submits that the allegation as alleged in the complaint petition is false and fabricated and the petitioner has not committed any offences as alleged in the complaint petition. He further submits that despite best efforts the parties have not settled the dispute between them.

5. Learned counsel for the petitioner on instructions fairly submits that the petitioner is ready to pay Rs. 5,000/- per month to the complainant as an interim maintenance till the disposal of the maintenance case, if any.

6. Learned counsel for the complainant has no objection if the petitioner pays Rs. 5,000/- per month to the complainant as an interim maintenance.

7. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

8. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two



sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Bettiah, West Champaran in connection with Complaint Case No. 891 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioner shall pay Rs. 5,000/- per month to the complainant in her bank account whose details are- Name- Kalpana Devi & A/c No.- 9950001700319312 starting from May, 2025. If the petitioner fails to pay the aforesaid amount to the complainant, the complainant has liberty to move before the appropriate forum/court for cancellation of bail bond of the petitioner.

ii. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

iii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iv. And further condition that the court below shall



verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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