

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.72690 of 2024**

Arising Out of PS. Case No.-1126 Year-2022 Thana- VAISALI COMPLAINT CASE District-  
Vaishali

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Guddu Paswan @ Guddu Kumar Paswan S/O Harikant Paswan R/O Village-  
Kajipur Thathan, P.O- Thathan Bujurg, P.S- Hajipur Sadar, Distt.- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Madhu Devi @ Madhu Kumari W/O Guddu Paswan @ Guddu Kumar Paswan R/O Village- Kajipur Thathan, P.O- Thathan Bujurg Police Station Hajipur Sadar, Distt.- Vaishali. At present Daughter of Saheb Paswan R/O Village- Bhairapur, P.O- Bhairapur Dayodhi, P.S- Bidupur, Distt.- Vaishali.

... .. Opposite Party/s

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**Appearance :**

|                      |   |                                 |
|----------------------|---|---------------------------------|
| For the Petitioner/s | : | Mr. Dilip Kumar Singh, Advocate |
| For the Complainant  | : | Mr. Yugal Kishore, Advocate     |
| For the State        | : | Mr. Bhanu Pratap Singh, APP     |

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      29-01-2025                      Heard Mr. Dilip Kumar Singh, learned counsel for the petitioner, Mr. Yugal Kishore, learned counsel for the Complainant and Mr. Bhanu Pratap Singh, learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Complaint Case No. C1-1126 of 2022, registered for the offences punishable under Sections 498(A) of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

3. Petitioner is the husband of the complainant. Allegation against the petitioner is of demand of dowry and



torture for the same.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case merely on the ground that the petitioner is the husband of the complainant. He further submits that from perusal of the complaint petition it appears that marriage was performed between the petitioner and the complainant on 28.06.2016 and till the date of filing of the complaint petition, the complainant has no any grievance against the petitioner and she has filed the present case only to harass the petitioner and the petitioner has filed the Matrimonial case under Section 8 and 9 of the Hindu Marriage Act for constitution of conjugal rights and despite of that she has not chosen to come with the petitioner.

5. He further submits that from perusal of the impugned order it appears that the learned Court below has tried to compromise the matter between the parties but it appears that she is not willing to reside with the petitioner.

6. Learned counsel for the Complainant as well as learned APP for the State, on the other hand, opposed the prayer for anticipatory bail of the petitioner.

7. Considering the facts and circumstances of the



case, let the petitioner, above named, in the event of his 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Vaishali at Hajipur in connection with Complaint Case No. C1-1126 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions :-

(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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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