

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 77106 of 2024

Arising Out of PS. Case No.-405 Year-2018 Thana- COMPLAINT CASE District- Supaul

Udit Paswan Son of Rajendra Paswan Resident of Village - Motipur, P.S. -
Karjain, District - Supaul

... .. Petitioner/s

Versus

1. The State of Bihar
2. Buchiya Devi Wife of Udit Paswan, Daughter of Late Satya Narayan Paswan Resident of Village - Motipur, P.S. - Karjain, District - Supaul. A present Village - Samada, P.S. - Ratanpur, District - Supaul

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Pramod Mishra, Advocate Mr. Prasoon Kumar, Advocate
For the State	:	Mr. Md. Anzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 29-01-2025 Heard learned counsel for the Petitioner and learned
APP for the State.

2. The Petitioner apprehends his arrest, in connection with Complaint Case No. 405C of 2018 dated 26.09.2018, registered for the offence punishable under Section 498A of the Indian Penal Code.

3. As per the allegation, after marriage the complainant was subjected to cruelty on account of non-fulfillment of additional demand of dowry. It is further alleged that the petitioner/husband has solemnized second marriage and keeping his second wife in his house.

4. Learned counsel for the Petitioner submits that the



Petitioner is innocent and has falsely been implicated in this case. He further submits that he has not solemnized any second marriage and marriage is not working between informant and petitioner. Hence, this false case has been filed.

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 also been stated in paragraph no.3 of the bail petition that the Petitioner has no criminal antecedent.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this application 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 Judicial Magistrate Ist Class, Birpur, Supaul, in connection with Complaint Case No. 405C of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and the following conditions:



(i) In case, it is brought to the notice of the court below that the Petitioner has given wrong statement regarding his criminal antecedents, learned court below shall cancel the bail bond 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 bond of the Petitioner.

(Jitendra Kumar, J.)

Ramesh, S. Ali/-

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