

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.16494 of 2017**

Arising Out of PS.Case No. -2237 Year- 2016 Thana -SARAN COMPLAINT CASE District-  
SARAN

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1. Sudhir Kumar Pandey @ Sudhir Pandey, son of Late Dinesh Pandey, resident of Village- Makriar, Police Station- Dhanvi, O.P. Siwan Muffasil, District- Siwan.

.... .... Petitioner

Versus

1. The State of Bihar.  
2. Chinta Nand Pandey, Son of Late Madan Bihari Pandey, Resident of Village- Bigaha, Post Office- Bigaha, Police Station- Manjhi, District- Saran.

.... .... Opposite Parties

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**Appearance :**

For the Petitioner/s : Mr. Vijay Kumar Srivastva  
For the Opposite Party/s : Mr. Ajay Kumar-1

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

5      10-11-2017                      Heard learned counsel for the petitioner, learned counsel for the State and learned counsel appearing on behalf of the O.P. No.2.

The petitioner is apprehending his arrest in a case instituted under Sections 498(A) and 323 of the Indian Penal Code.

The allegation against the petitioner is of committing torture upon the victim due to non-fulfillment of the demand of dowry.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of



tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The case is triable by the Magistrate. Due to petty family dispute, the present case has been instituted against the petitioner. The petitioner has further relied upon the judgment of this court, in the case of ***Md. Naimul Haque Ansari Vs. The State of Bihar, reported in 2006(3) PLJR 182.*** It is further submitted that the petitioner is ready to deposit an amount of Rs. 2 lac, which shall be subject to final disposal of the case.

The offer made by the petitioner is accepted by the learned counsel appearing on behalf of the Opposite Party No.2.

Considering the aforesaid facts and circumstances, it is directed that the petitioner shall deposit an amount of Rs. 2 lac in the court below within a period of 12 weeks, from the date of receipt of production of copy of this order, which shall be subject to final disposal of the case, and on doing so, let the petitioner above named be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of 12 weeks from today in connection with Complaint Case No.2237 of 2016, T.R. No.609 of 2017 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-Vth, Saran at Chapra,



subject to the conditions as laid down under Section 438(2) of the  
Code of Criminal Procedure.

**(Sudhir Singh, J)**

Amit/-

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