

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6394 of 2017

Arising Out of PS.Case No. -79 Year- 2016 Thana -MAHILA P.S. District- SIWAN

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Sanjay Pandey, S/o Late Baleshwar Pandey, R/o Village Tali, P.S. Guthani,
Distt.-Siwan.

.... Petitioner

Versus

1. The State of Bihar
2. Sabita Pandey, W/o Sanjay Pandey, D/o Late Rameshwar Dixit, R/o
Village-Kilpur, P.S.-Nautan, District-Siwan.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Md. Aslam Ansari

For the Opposite Party/s : Mr. Binod Kumar

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

4 04-09-2017 Heard leaned counsel for the petitioner, learned

counsel appearing on behalf of O.P. No.2 and the leaned A.P.P.

for the State.

The petitioner apprehends his arrest in connection
with Mahila P.S. Case No. 79 of 2016, registered under Sections
341, 323, 406, 494 and 498(A) of the Indian Penal Code, pending
in the court of the Chief Judicial Magistrate, Siwan.

The accusation is of torturing of the complainant by
her husband and other in-laws and also ousting her from
matrimonial house along with her three children and also
performing of re-marriage by the husband of the complainant/O.P.
No.2.

Learned counsel for the petitioner submits that due to
misunderstanding the present case has been lodged by the O.P.



No.2 with false allegation of performing re-marriage by the petitioner.

On the other hand, learned counsel appearing on behalf of O.P. No.2 submits that after investigation the Police has submitted Final Form for offence under Sections 498(A) and 494 of the Indian Penal Code. Further submission is that on the joint prayer of the parties, the matter was referred to the Mediation Centre, Patna High Court, Patna, but due to non-cooperative attitude of the petitioner, the matter could not be settled between the parties.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for grant of anticipatory bail stands rejected. The petitioner is directed to surrender before the trial Court within four weeks and pray for regular bail, which would be considered by the trial Court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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