

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.21738 of 2017**

Arising Out of PS.Case No. -1866 Year- 2015 Thana -MUZFFARPUR COMPLAINT CASE  
District- MUZAFFARPUR

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Prabhat Kumar Pandey Son of Pramod Pandey , Resident of Village-  
Sonepur, Pravejabad, P.S.- Sonepur, District- Saran.

.... .... Petitioner

Versus

1. The State of Bihar.  
2. Kajal Kumari, wife of Prabhat Kumar Pandey, Daughter of Late  
Ramdayal Jha, Resident of Village- Bahilwara Rupnath, P.S.- Saraiya,  
District- Muzaffarpur.

.... .... Opposite Parties

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**Appearance :**

For the Petitioner/s : Mr. Hari Kishore Thakur

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

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

3      25-08-2017                      Heard learned counsel for the petitioner, learned  
  
counsel for the complainant and learned counsel appearing on  
  
behalf of the State.

The petitioner is apprehending his arrest in connection  
  
with Complaint Case No.1866 of 2015, Tr. No.4154 of 2016 for  
  
the offence instituted under Section 498(A) 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.***

On behalf of the State and counsel for the complainant, it has been submitted that the petitioner is named in the complaint case.

Considering the aforesaid facts and circumstances, 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 six weeks from today in connection with Complaint Case No.1866 of 2015, Tr. No.4154 of 2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., West Muzaffarpur, 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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