

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28066 of 2017

Arising Out of PS.Case No. -320 Year- 2016 Thana -MAHILA P.S. District- BHOJPUR

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1. Om Prakash Pandey Son of Sri Ram Bacan Pandey, Resident of Village-
Ekwari, P.S.- Sahar, District- Shojpur At present Resident of Nutandih
Gaushala Sindri, P.S.- Sindri, District- Dhanbad (Jharkhand).

.... Petitioner

Versus

1. The State of Bihar.
2. Namita Pandey, W/o Om Prakash Pandey, Dauthter of Madan Pandey,
Resident of Village- Kulharia, P.S.- Koelwar, District- Bhojpur.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Dharendra Singh
For the Opposite Party/s : Mr. Uday Chand Prasad

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-07-2017 Heard learned counsel for the petitioner, learned
counsel for the informant and learned counsel appearing on behalf
of the State.

The petitioner is apprehending his arrest in connection
with Mahila P.S. Case No.320 of 2016 for the offence instituted
under Sections 341, 323, 354, 504, 506, 498(A)/34 of the Indian
Penal Code, Section 3/4 D.P. Act and 3/4 of Witchcraft Act.

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 the counsel for the informant, it has been submitted that the petitioner is named in the F.I.R.

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 Mahila P.S. Case No.320 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., Bhojpur at Ara, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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