

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.33883 of 2017

Arising Out of PS.Case No. -883 Year- 2012 Thana -PATNA COMPLAINT CASE District-
PATNA

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Niranjan Pandey @ Niranjan Kumar Pandey Son of Sri Ram Sewak Pandey, R/o Gram Samsa, P.S.- Mansoor Chak, District- Begusarai at present Residing at Renter of the House of Sri Lalbabu Yadav, Mohalla-Bagnhoop Singh Lane, P.S.- Alamganj, District- Patna.

.... Petitioner

Versus

1. The State of Bihar.
2. Archana Devi @ Babli, W/o Sri Niranjan Pandey @ Niranjan Kumar Pandey, D/o Sri Rajeshwar Pandey, R/o Gaighat, South Lane, P.S. Alamganj, District- Patna.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Nagadeo Choubey, Advocate.

For the State : Mr. Ashok Kumar Singh 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-07-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection with Complaint Case No. 883/2012 for the offences instituted under Section 498(A) of the IPC., and ¾ of the D.P. Act.

The prosecution story, in brief, is that the accused persons including the petitioner tortured the complainant due to non-fulfilment of demand of dowry.

This is third attempt for grant of anticipatory bail on behalf of the petitioner. It has been submitted that the new fact is that the final settlement has already been arrived at between the



petitioner and the complainant vide Annexure-4 to the present application. It has further been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The case is triable by the Magistrate. He has falsely been implicated in the present case due to petty family dispute. The petitioner has further relied upon the judgment of this Court in the case of Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006(3) PLJR 182.

On behalf of the learned counsel for the State, 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 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. 883/2012 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Patna City, Patna, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)