

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.35643 of 2017**

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1. Chotelal Pandit @ Harilal Pandit, Son of Yogendra Pandit resident of Village- Bahuwarwa, Nunia Tola, P.S.- Gopalpur, District- East Champaran. .... Petitioner

Versus

1. The State of Bihar.

2. Ranju Devi, Wife of Chotelel Pandit @ Hiralal Pandit, resident of Village- Bahuwarwa, Nunia Tola, P.S.- Gopalpur, District- East Champaran. At present daughter of Gajendra Pandit, resident of Village- Bhediyahee, P.S.- Ramgarhwa, District- East Champaran.

.... Opposite Parties

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**Appearance :**

For the Petitioner/s : Mr. Dhannjay Kumar No 2

For the Opposite Party/s : Mr. Rajendra Prasad Nat

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

02 10-08-2017

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 Tr. No. 1880/2017, arising out of Complaint Case No.C-51 of 2017, for the offence instituted under Section 498(A) of the Indian Penal Code and 3/4 of D.P. 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 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 Tr. No. 1880/2017, arising out of Complaint Case No.C-51 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 S.D.J.M., Motihari, East Champaran, 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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