

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50497 of 2016

Arising Out of PS.Case No. -773 Year- 2016 Thana -EAST CHAMPARAN COMPLAINT District-
EASTCHAMPARAN(MOTIHARI)

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1. Siddharth Kumar Pandey Son of Nand Kishore Pandey, Resident of Bara Bariyarpur, Police Station- Chhatoni, District- East Champaran, Motihari.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Guriya Pandey, Wife of Siddharth Kumar Pandey, Daughter of Late Dinesh Narayan Mishra, At present Rampurva Police Station- Dumariya Ghat, District- East Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Sinha

For the Opposite Party/s : Mr. Sri Shailendra Kumar -2

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 20-03-2017 Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State as well as the counsel for the informant.

This application, for grant of anticipatory bail, arises out of Complaint Case No. 773 of 2016, disclosing offences under Sections 323/34 and 498A of the Indian Penal Code.

Learned counsel for the petitioner has submitted that the petitioner happens to be the husband of the complainant is innocent and has falsely been implicated in this case. In fact, petitioner and the complainant are in litigating terms since long and a Sanha has already been filed by the petitioner against the



complainant for her overt act. The complainant has affair with another person and with whom she wants to marry, therefore, she herself does not want to reside with her husband, which is evident from paragraph-17 of the petition. No case of assault or demand of dowry is made out against the petitioner. Hence, the petitioner deserves the privilege of anticipatory bail.

Learned counsel for the informant has submitted that earlier the matter was sent to the Mediation Centre but the parties could not arrive at any settlement although the complainant wants to reside with her husband.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sadar, Motihari, East Champaran in connection with Complaint Case No.773C of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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