

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3429 of 2018

Arising Out of PS. Case No.-1048 Year-2014 Thana- SARAN COMPLAINT CASE District-
Saran

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Ujjawal Pandey @ Ujjawal Kumar Pandey, Son of Sri Brij Kishore Pandey,
Resident of Village- Bhati, P.S.- Raghunathpur, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Archana Kumari @ Archana Pandey, Wife of Ujjawal Pandey @ Ujjawal Kumar Pandey, Daughter of Sri Keshav Prasad Mishra, Resident of Village- Newaji Tola, Indra Nagar Colony, P.S.- Chapra Mufasil, District- Saran at Chapra.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prithvi Nath Mishra
For the Opposite Party/s : SMT. ANUSUIYA JAISWAL

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 19-02-2018 Heard learned counsel for the petitioner, learned APP
for the State and the learned counsel for the O.P. No. 2.

On 18.1.2018, a prayer was made on behalf of the parties
that they want to file a joint affidavit in respect to one time
settlement between the parties.

When the matter was taken up today, it has been submitted
on behalf of the parties that the settlement could not be arrived
at between the parties. Hence, the present application may be
disposed of.

The petitioner is apprehending his arrest in a case
registered under Section 498A of the Indian Penal Code and 3
of Dowry Prohibition Act.



Allegation against the petitioner is of committing torture upon the victim due to non-fulfilment of 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 due to petty family dispute. The case is triable by the Magistrate. The petitioner has 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 State, it is submitted that the petitioner is named in the Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Saran at Chapra in connection with Complaint Case No. 1048 of 2014 (Trial No. 1556 of 2017), subject to the conditions as laid down



under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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