

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.361 of 2018**

Arising Out of PS.Case No. -163 Year- 2017 Thana -GAUTAMBUDHNAGAR District- SIWAN

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1. Madan Pandit Son of Darash Pandit Resident of Village - Pashurampur,  
P.S. Majhagarh, District - Gopalganj.

.... .... Petitioner

Versus

1. The State of Bihar.  
2. Anu Devi Wife of Raju Pandit Resident of Village - Pashurampur, P.S.  
Majhagarh, District - Gopalganj. At present residing at Village - Majhwalia,  
P.S. - G.B. Nagar, District - Siwan.

.... .... Opposite Parties

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**Appearance :**

For the Petitioner/s : Mr. Ranjeet Kumar

For the Opposite Party/s : Mr. Nagendra Prasad

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

2      05-01-2018                      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner is apprehending his arrest in a case  
instituted under Sections 341, 323, 307, 406, 498A 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. There is



no injury report to support the allegations made in the F.I.R. for constituting an offence under Section 307 of the Indian Penal Code. The petitioner is father-in-law of the victim. He is separate in mess and property from the husband of the victim. 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, 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 arrest or surrender before the learned court below within a period of six weeks from today in connection with G.B. Nagar P.S. Case No.163 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., Siwan, 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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