

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47007 of 2018

Arising Out of PS.Case No. -172 Year- 2017 Thana -NALANDA COMPLAINT CASE District-
NALANDA (BIHARSHARIFF)

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1. Sanjay Kumar @ Sanjay Pandit S/o Kamaldeo Pandit, R/o Vill.-
Kapsiyawan, P.S.- Hilsa, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Chinta Devi W/o Late Bihari Sao, R/o Mohalla- Mushahari, West of Beur
Jail, P.S.- Gardanibagh, District- Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Sri Arbind Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 27-08-2018 Heard learned counsel for the petitioner as well as the

State.

The petitioner apprehends his arrest in Complaint
Case No. 172/2017, instituted for the offences punishable under
Sections 376, 420 and 379 of the Indian Penal Code but
cognizance has been taken for offences under Sections 497, 498,
406 and 420 of the Indian Penal Code.

In the written report, it is alleged that complainant is
a widow. She is working as labour and has been living with this
petitioner for last ten years as husband and wife. It is further
alleged that the petitioner had given allurement of marriage and
also established physical relation. It is further alleged that after



death of husband of complainant, petitioner took ear ring of gold and Rs. 20,000/- as a loan and thereafter left the complainant and returned to his house. Petitioner has not returned the aforesaid articles to the complainant.

Learned counsel for the petitioner has submitted that from the complaint petitioner itself, it is apparent that both petitioner and complainant were living together for last ten years. The instant case has been filed merely to give pressure to the petitioner to perform marriage.

Considering the facts and circumstances of the case, the prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Complaint Case No. 172/2017, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. IInd, Hilsa (Nalanda), subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and



reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J.)

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