

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.10661 of 2018

Arising Out of PS.Case No. -39 Year- 2017 Thana -MAHILA PS District- DARBHANGA

=====

Sanjeev Panjiyar, S/o Rohit Panjiyar, R/o Ayachi Nagar (Benta), P.S.-
Laheriasarai, District- Darbhanga.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Prabhat Kumar Singh, Advocate.

For the Opposite Party : Mr. Yogendra Kumar, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-02-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 498(A), 323, 504, 506,
354/34 of the IPC and ¾ of the D.P. Act.

The prosecution story, in brief, is that the accused
persons including the petitioner tortured the victim due to non-
fulfilment of demand of dowry. It is also alleged that her *Devar*
Manish Kumar used to molest her. She was also compelled to
establish physical relationship with accused doctor and
compounder. She opposed to establish physical relationship with
others but husband of the informant said that there was no problem
to establish physical relationship with others.



It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case due to petty family dispute. The petitioner is the husband of the victim. The reconciliation between the parties had already failed which is evident from the order of the court below.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R/ Complaint Case. He is husband of the victim. There is specific allegation in respect of offence under Section 354 of the IPC against co-accused Manish Kumar, who is brother of this petitioner. The accused persons including the petitioner used to compel the victim to have a physical relationship with other persons apart from the husband of the victim.

Considering the allegation made by the victim in respect of an offence under Section 354 IPC, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected in connection with Mahila P.S. Case No. 39 of 2017, pending in the court of learned S.D.J.M. Darbhanga.

Anyhow, if the petitioner surrenders in the court below within a period of six weeks from today and prays for



regular bail, the same shall be considered by the learned court below on its own merit without being prejudiced by the order of this Court.

U.K./-

U		T	
---	--	---	--

(Sudhir Singh, J)

