

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70478 of 2018

Arising Out of PS. Case No.-539 Year-2017 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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Mohan Pandit Son of Sukai Pandit Resident of Village-Bisunpurwa,Police
Station -Subhadara,Distt.-West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Antima Devi Wife of Mohan Pandit D/o of Sanejar Pandit Resident of
Village-Bishunpurwa,Police Station Subhadra,Distt.-West Champaran
Presently residing at village-Tonwa,Police Station Subhadra,Distt.West
Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7
For the Opposite Party/s : Mr. Dr. Indihar Kumari

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-11-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 498A, 323 and 504 of the Indian Penal
Code.

Allegation against the petitioner is of committing
torture upon the victim due to non-fulfillment 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 present case has been instituted just after institution of a matrimonial case by the petitioner for restitution of conjugal rights. 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/F.I.R.

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 A.C.J.M. -II, Bettiah, West Champaran in connection with Complaint Case No. 539C/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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