

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12835 of 2019**

Arising Out of PS. Case No.-460 Year-2018 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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ABHISHEK PANDEY Son of Kaushal Kishore Pandey Resident of Village-
Someshwar Nath Colony, P.S.- Hajipur, District- Vaishali.

... .. Petitioner.

Versus

1. THE STATE OF BIHAR
2. Priyanka Pandey @ Priyanka Devi Wife of Abhishek Pandey, daughter of
Jugal Kishore Pathak Resident of Village- Paschimi Sundarpur, P.S.-
Kesariya, District- East Champaran.

... .. Opposite Parties.

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Appearance :

For the Petitioner	:	Mr. Abhishek Kumar, Advocate.
For the State	:	Mr. Dashrath Mehta, A.P.P.
For the opposite party no.2:	:	Mr. Sangeet Deokuliar, Advocate.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

6 16-07-2019 Heard learned counsel for the petitioner and the

learned A.P.P. for the State as also the learned counsel for the

opposite party no.2.

The petitioner apprehends his arrest in connection
with Trial No.2293 of 2018, arising out of C-460 of 2018
registered under Section 498-A of the Indian Penal Code besides
Sections 3/4 of the Dowry Prohibition Act.

The accusation is of torturing the opposite party no.2
by her husband (petitioner) and other in-laws for non-fulfillment
of the dowry demand of Alto Car (Maruti) and also removing
the opposite party no.2 from the matrimonial house along with



her child by snatching her personal belongings.

Learned counsel for the petitioner submits that due to ill-behaviour of the opposite party no.2, who is the wife of the petitioner, the petitioner has filed divorce case bearing Matrimonial Case No.59 of 2018 against the opposite party no.2, which is pending in the court of the Principal Judge, Family Court, Vaishali at Hajipur. The opposite party no.2 has also filed Maintenance Case No.145 of 2018 under Section 125 of the Code of Criminal Procedure against the petitioner, which is pending in the court of the Principal Judge, Family Court, East Champaran at Motihari. The petitioner is still ready to settle the dispute with the opposite party no.2 in any manner.

Since the divorce case has already been filed by the petitioner and the opposite party no.2 has also filed maintenance case and both cases are still pending for disposal, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Sadar at Motihari, East Champaran, in connection with Trial No.2293 of 2018, arising out of C-460 of 2018, subject to the conditions laid down under



Section 438(2) Cr.P.C.

It is made clear that the petitioner and the opposite party no.2 may approach the concerned court for conciliation and settlement of the dispute in between them.

(Rajendra Kumar Mishra, J)

P.S./-

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