

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.26373 of 2019

Arising Out of PS. Case No.-419 Year-2005 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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PANKAJ MANDAL @ PANKAJ KUMAR Son of Rajendra Mandal @
Rajinder Parshad Resident of Village - Laxminiya Tola, Kadwa, P.S.-
Dholbajja, District - Bhagalpur

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Tila Devi Wife of Pankaj Mandal @ Pankaj Kumar, D/O- Sri Kuneshwar Mandal Resident of Village - Tintanga Diyara, Maharaj Mandal Tola, Post- Tintanga Diyara, P.S.- Gopalpur, District- Bhagalpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha
For the Opposite Party/s : Mr.Mithlesh Kumar Khare

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

6 03-07-2019 Heard learned Counsel for the petitioner, learned Counsel for the Opposite Party No. 2 and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Complaint Case No. 419 of 2005, in which cognizance has been taken under Section 406/498A/34 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act, 1961.

The petitioner is the husband and there appears to be matrimonial discord between the parties.

The matter was placed in the Chambers for the



purpose of reconciliation.

The petitioner is present along with his Counsel, but the Opposite Party No. 2 is not present; however, her Counsel is present.

Upon query, the petitioner has submitted that he is ready to keep his wife- Opposite Party No. 2. However, the Opposite Party No. 2 did not appear and learned Counsel for the Opposite Party No. 2 informs that she is working at Naugachia in a School as a Cook and she is not willing to go with her husband.

After having heard learned Counsel for the parties and taking into consideration the fact that the Opposite Party No. 2 is not willing to go and live with her husband at Ludhiana, who is working in a factory, I find it a fit case for grant of privilege of anticipatory bail. Accordingly, this application is allowed.

Let the petitioner, Pankaj Mandal @ Pankaj Kumar, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Naugachia, in connection with Complaint Case No. 419 of 2005, subject to the condition laid down under Section



438 (2) of the Code of Criminal Procedure.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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