

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26955 of 2019

Arising Out of PS. Case No.-104 Year-2018 Thana- MAHILA P.S. District- Bhojpur

VIKASH PANDEY @ VIKASH KUMAR PANDEY, Age-28 years, Male,
Son of Shyam Bihari Pandey Resident of Village - Krit Sagar, P.S.- Krishan
Bramh, District - Buxar.

... .. Petitioner

Versus

1. THE STATE OF Bihar
2. Rubi Devi, age-26 years (F) Wife of Bishawajeet Pandey Resident of Village
- Krit Sagar, P.S.- Krishan Brahm, District - Buxar. Presently residing in
village Manjhauli, P.S.- Bihia, Distt - Bhojpur.

... .. Opposite Parties

Appearance :

For the Petitioner : Mr. Bimal Kumar, Advocate
For the Opposite Parties : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 17-07-2019 Heard learned counsel for the petitioner, learned

Additional Public Prosecutor for the State and learned counsel

for the Informant.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 498A and
506/34 of the Indian Penal Code as well as Section 3/4 of the
Dowry Prohibition Act.

It is submitted on behalf of the petitioner that the
petitioner is Dewar of the informant/Opposite Party No.2,
namely, Rubi Devi. Surprisingly, though this case has been filed
under Section 498A and 506/34 of the Indian Penal Code as
well as Section 3 /4 of the Dowry Prohibition Act but the



husband of the informant has not been made accused in this case. It is further submitted that the petitioner has got no concern with the affairs of the Opposite Party No.2. He further submits that neither the petitioner demanded any dowry nor committed any torture. Petitioner has got no criminal antecedent. In fact Opposite Party No.2 wants partition of residential house and only with a view to harass and put undue pressure, this false case has been filed against father-in-law, mother-in-law, brother-in-law and other family members. Both parties are residing in the same residential house.

Considering the facts aforesaid, let the petitioner above named, in the event of his arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Bhojpur, Ara/successor Court in connection with Mahila P.S.Case No.104 of 2018 (G.R.No.3378 of 2018), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to



cancel the bail bonds of the petitioner.

(Prabhat Kumar Singh, J)

B.Kr./-

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