

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36549 of 2019

Arising Out of PS. Case No.-69 Year-2019 Thana- FALKA District- Katihar

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JAGJEEVAN PANDIT Son of Kapildev Pandit Resident of Village - Bareta
Chowk, P.S.- Falka, Dist.- Katihar. Petitioner

Versus

THE STATE OF BIHAR Opposite Party

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Jha, Advocate
For the Informant : Mr. Ashutosh Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 12-06-2019 Mr. Ashutosh Kumar, Advocate has entered

appearance on behalf of the informant and has filed

Vakalatnama.

Heard learned counsel for the petitioner and learned
counsel representing the informant. No one appears for the
State.

The petitioner in the present case is seeking
anticipatory bail in connection with Falka P.S. Case No. 69 of
2019 registered for the offences punishable under Sections 323,
498(A) of the Indian Penal Code and Sections 3 / 4 of the
Dowry Prohibition Act.

Learned counsel for the petitioner submits that this
petitioner has filed a matrimonial case under Section 9 of the
Hindu Marriage Act for restitution of conjugal rights on
31.05.2018. In the said case the informant has appeared and the
matter was being adjourned for mediation between the parties.



In this regard order dated 08.08.2018 and 10.09.2018 have been placed before this Court. In stead of appearing in the mediation on 10.09.2018, the informant lodged the FIR on 12.09.2018 making false and frivolous allegation.

Learned counsel representing the informant has opposed the anticipatory bail as according to him, the petitioner has ousted the informant on 31.03.2018 and had committed cruelty against the informant.

Considering the facts and circumstances of the case wherein there appears to be a matrimonial dispute between the parties, several steps for mediation has been taken up by the court in the pending proceeding and in the meantime the present FIR has been lodged, let the petitioner above named in the event of his arrest or surrender within a period of four weeks from today in connection with Falka P.S. Case No. 69 of 2019 be released on bail on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Katihar, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajeev Ranjan Prasad, J)

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