

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43785 of 2019**

Arising Out of PS. Case No.-3694 Year-2013 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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SUMAN PANDEY @ SUMAN KUMAR PANDEY Son of Subodh Pandey
Resident of Village-Lawapur, P.S-Mahnar, District-Vaishali.

... .. Petitioner

Versus

1. The State of Bihar
2. Chanda Devi Wife of Suman Pandey Resident of Village-Lawapur, P.S.-
Mahnar, District-Vaishali, Presently residing at her father house Arjun
Tikulihar Village Kartahan Jagdishpur, P.S-Kartahan, District-Vaishali.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar Singh, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 24-09-2019 Heard Learned counsel for the petitioner and learned
APP for the State.

Despite service of notice on opposite party no.2 no
one has entered appearance on her behalf.

The petitioner in the present case who is the husband
is seeking anticipatory bail in Complaint Case No. 3694 of 2013
in which cognizance has been taken for the offences punishable
under Section 498(A) of the Indian Penal Code and Sections 3 /
4 of the Dowry Prohibition Act.

In paragraph '10' of the application a statement has
been made that the complainant has performed second marriage
with one Chandan Tiwary son of Manoj Tiwary of village



Mataiya, P.S. & District Vaishali and has got two children from the said marriage.

Learned counsel for the petitioner submits that it is a case of false implication.

However, considering the facts and circumstances of the case particularly the statements made in paragraph '10' of the application which has not been controverted, let the petitioner above named in the event of his arrest or surrender within a period of four weeks from today in connection with Complaint Case No. 3694 of 2013 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 Sub-Divisional Judicial Magistrate, Vaishali at Hajipur, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police



officer;

(iii) a condition that the person shall not leave India
without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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