

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47051 of 2019

Arising Out of PS. Case No.-242 Year-2018 Thana- KALYANPUR District- East Champaran

RAJU PANDIT @ RAJUN PANDIT @ RAJUN KUMAR @ RAJU KUMAR
Son of Mohan Pandit Resident of Village-Dubey Katahariya, Police Station-
Kalyanpur, District-East Champaran.

... .. Petitioner

Versus

1. THE STATE OF BIHAR
2. Sudhan Devi Wife of Raju Pandit @ Rajun Pandit D/o Vishwakarma Pandit
At present R/village-Gavandri, P.O and P.S.-Kesariya, District-East
Champaran.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr.Dhurendra Kumar, Advocate
For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 14-10-2019 Heard learned counsel for the petitioner.

Neither learned counsel for the State is present nor the
opposite party no. 2 has entered appearance in this case.

The petitioner who is the husband of the opposite
party no. 2 in the present case is seeking anticipatory bail in
connection with Kalyanpur P.S. Case No. 242 of 2018 registered
for the offences punishable under Section 498A of the Indian
Penal Code and Sections 3 and 4 of Dowry Prohibition Act.

Learned counsel for the petitioner submits that the
petitioner is ready and willing to bring opposite party no. 2 to
the matrimonial home and to live with her with full dignity and
care. Learned counsel further submits that for this purpose the



petitioner would visit the Maiké/house of the opposite party no. 2 within two weeks from today and shall bring her back to the matrimonial home.

In the aforesaid view of the matter, in order to provide an opportunity to the petitioner to save the marriage and restore the matrimonial life, this Court directs that in case of arrest or surrender within four weeks from today in connection with Kalyanpur P.S. Case No. 242 of 2018 the petitioner be enlarged 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 Chief Judicial Magistrate, East Champaran, Motihari, 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.

And further condition in terms of his own



undertaking that he will go to the Maiké/house of the opposite party no. 2 within two weeks from today and shall bring her back to the matrimonial home. If the petitioner shall commit any breach of the terms and conditions of the bail and undertaking given before this court, it will be open for the opposite party no. 2 to move an application of cancellation of bail.

The petitioner shall inform the Station House Officer of the concerned Police Station within whose jurisdiction the opposite party no. 2 is presently residing about his visit and in case the opposite party no. 2 refused to accompany him the same shall also be informed for purpose of record.

(Rajeev Ranjan Prasad, J)

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