

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19711 of 2020**

Arising Out of PS. Case No.-35 Year-2019 Thana- MAHILA PS District- Buxar

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Pankaj Kumar Dwivedy @ Pankaj Kumar Dubey @ Pankaj Dubey @ Pankaj Dwivedi S/O Late Vijay Kumar Dwivedy @ Late Vijay Dubey Resident of Village-Nalband toll Buxar, P.S.-Buxar, District-Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pravin Kumar

For the Opposite Party/s : Mr.Rajendra Nath Jha

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-08-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders” under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 498A, 494, 341, 323, 313, 379/34 of the Indian Penal Code.

Allegation against the petitioner is of committing torture upon the victim due to non-fulfillment of demand of dowry.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the



petitioner. The petitioner has falsely been implicated in the present case due to petty family dispute. The petitioner is husband of the victim. On earlier occasion also, a similar case was instituted against the petitioner by the informant. The petitioner undertakes that he will cooperate during trial. The petitioner has relied upon the judgment of this Court in the case of Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006(3) PLJR 182.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned Sub Divisional Judicial Magistrate, Buxar in connection with Buxar (Mahila) P.S. Case No. 35 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven



weeks to the satisfaction of the court concerned in connection
with the aforesaid case.

(Sudhir Singh, J)

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