

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26566 of 2020

Arising Out of PS. Case No.-84 Year-2019 Thana- SATHI District- West Champaran

RAJESH PANDIT @ RAKESH PANDIT S/o Shankar Pandit Resident of
Village- Somgarh, P.S.- Sathi, District- West Champaran.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Radhika Devi W/o Rajesh Pandit @ Rakesh Pandit Resident of Village-
Somgarh, P.S.- Sathi, District- West Champaran. D/o Sitaram Parit, Resident
of Village- Mahuawa, P.S.- Purushattampur, Dist- West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sanjeev Kumar
For the Opposite Party/s	:	Mr.Anil Kumar,APP
For the informant	:	Mr. Dhananjay Kumar No. II

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-11-2020 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.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the Office, within a period
of four weeks from the date of restoration of normalcy.

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

The petitioner is apprehending his arrest in a case
registered under Sections 341, 323, 498A, 504, 506, 34 of the
Indian Penal Code and ¾ of Dowry Prohibition Act.



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 the petitioner has got no criminal antecedent. 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 case is triable by the Magistrate. 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, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran in connection with Sathi P.S. Case No. 84/2019, subject to the conditions as laid down under



Section 438(2) of the Code of Criminal Procedure.

If so advised, either of the parties will be at liberty to make an application before the Court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement. In case, any such application is made by either of the parties, the Court below shall refer the matter to the District Mediation Centre.

The Opposite party No. 2 will be at liberty to make an application before the concerned Family Court for the purpose of maintenance, if so advised.

(Sudhir Singh, J)

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