

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57287 of 2019

Arising Out of PS. Case No.-110 Year-2019 Thana- BHAGWANPUR District- Kaimur
(Bhabua)

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Dhananjay Dixit @ Dhananjay Dixt Son of Radhey Shyam Dixit Resident of
Village- Raja-ke-Akorhi, P.S.- Belaon, District- Kaimur.

... .. Petitioner

Versus

1. The State of Bihar
2. Pappu Pandey S/o Late Hina Pandey, R/o Vill+P.O+P.S.-Kudra, Distt.
Kaimur (Bhabua)
3. Renu Devi W/o Dhananjay Dixit, D/o Pappu Pandey, R/o Vill+P.O+P.S.
Kudra, Distt Kaimur (Bhabhua)

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Pathak
For the Opposite Party/s : Mr.Kalyan Shankar

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 20-02-2020 Heard learned counsel for the petitioner, learned
counsel for O.P. nos. 2 and 3 and learned APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Bhagwanpur (Belaon) P.S. Case No. 110 of 2019,
registered for the offence punishable under sections 341, 323,
498A, 504 and 34 of the Indian Penal Code and section 3 and 4
of the Dowry Prohibition Act.

As per allegation in the F.I.R., the petitioner was
married to O.P. No. 3 on 21.04.2019. It is stated that soon after
the marriage, the accused persons started torturing her and
making a demand of Alto car by way of dowry. It is further



stated that she was threatened that she would be killed and in one of the incidences they tried to strangulate her. Finally it is stated that the accused persons struck her with lathi as a result of which she sustained fracture.

It is submitted by learned counsel for the petitioner that pursuant to the order dated 11.09.2019, opposite party nos. 2 and 3 who are his father-in-law and his wife appeared in the case and by order dated 20.11.2019 the case was referred to the Patna High Court Mediation Centre. However, the dispute could not be settled amicably for the reason that the opposite party no. 3 did not agree to accompany the petitioner to her in-laws place and wanted settlement by getting the amount which the petitioner could not afford.

Learned counsel for opposite party no. 2 as also learned APP appearing for the State opposed the application for bail stating that the allegations are serious in nature and the petitioner happens to be the husband of opposite party no. 3.

Having heard learned counsel for the parties and taking into consideration the nature of allegations, the non-settlement of dispute in course of conciliation attempted before the Patna High Court Mediation Centre and the case and counter case between the parties which has been brought on record as



Annexure-2 to the application, this Court is inclined to grant bail to the petitioner. The petitioner is directed to surrender in the Court below within a period of six weeks from today and in the event of his arrest or surrender, he shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-5, Bhabua (Kaimur) in connection with Bhagwanpur (Belaon) P.S. Case No. 110 of 2019, subject to the condition as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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