

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21806 of 2021**

Arising Out of PS. Case No.-18 Year-2015 Thana- SIWAN MUFFASIL District- Siwan

VISHAL PANDEY S/o Paras Nath Pandey R/o- Village - Mudwar, P.S. -
Bankata, Distt. - Dewariya (U.P.).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gyanendra Kumar Shukla
For the Opposite Party/s : Mr.Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-08-2021 Heard learned counsel for the petitioner and the State
through virtual mode.

Earlier prayer for anticipatory bail of the petitioner was rejected by order dated 06-05-2015 passed in Cr. Misc. No. 18644 of 2015 (Annexure-1 to the present application), by a coordinate bench (then His Lordships was) of this court.

The petitioner is apprehending his arrest in Siwan Muffasil P.S. Case No. 18 of 2015 registered under Section 498A/34 of the Indian Penal Code and $\frac{3}{4}$ 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 petitioner is husband of the victim. It has further been submitted by the petitioner that vide Annexure-3 to the petition, the matter has been compromised between the parties. From perusal of Annexure-3, it is evident that both parties have put their signatures on the compromise petition which has been filed in the court below. 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, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Siwan Muffasil P.S. Case No. 18 of 2015 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 eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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