

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28245 of 2021

Arising Out of PS. Case No.-27 Year-2017 Thana- THARTHARI District- Nalanda

1. NARENDRA PANDEY @ BAL RAM PANDEY Son of Hardeo Pandey
Resident of Village- Pamara, P.S.- Tharthari, District- Nalanda.
2. Pramila Devi Wife of Narendra Pandey Resident of Village- Pamara, P.S.-
Tharthari, District- Nalanda.
3. Vijay Pandey Son of Jag Mohan Pandey Resident of Village- Kutalupur,
P.S.- Khidarsarai, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Chandra Pandey, Advocate

For the Opposite Party/s : Mr.Anil Kumar Singh No. , APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

4 21-10-2021 Heard learned counsel for the petitioners and learned
counsel for the State.

Petitioners apprehend their arrest in a case registered
under Sections 323, 306, 364, 368, 34 of the Indian Penal Code.

Complainant has alleged that she was married to
Dinkar Pandey (since deceased), son of Narendra Pandey
(petitioner no. 1) in the year 2013 as per Hindu Rites and
Customs and thereafter she was being tortured for non-
fulfillment of demand of dowry by the petitioners. It is further
alleged that petitioners started to coerce her husband (since

deceased) to bring Rupees one lac from parental home of complainant, but he refused and committed suicide by setting himself ablaze due to continuous mental torture.

It has been submitted on behalf of petitioners that petitioner nos. 1 and 2 are father-in-law and mother-in-law of the complainant and petitioner no. 3 is son-in-law (Damad) of petitioner no. 1 and are innocent and have been falsely implicated in this case without any rhyme and reason and to pressurize them with respect to custody of child. The complaint was filed in the court after 21 days of death of husband of complainant and same was referred under Section 156(3) of Cr.p.c. to the police to lodge an FIR.

An informatory petition has been filed by the father-in-law of the complainant in the year 2017 before the S.D.M, Hilsa (Nalanda) in which it is stated that complainant had extra marital relation and had strained relation with her husband.

It has been further submitted that statement of Rudra Raj (son of complainant) was recorded U/s 164 of Cr.P.C. in which he has stated that he wants to live with his grand-father and grand-mother. Petitioners have no criminal antecedents.

Considering the facts and circumstances of the case, prayer of anticipatory bail is allowed and petitioners named

above in the event of arrest or surrender before the court below within four weeks from today, Petitioners are directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Hilsa (Nalanda), in connection with Tharthari P.S. Case No. 27 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(S. Kumar, J)

Rajiv/veena-

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