

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49443 of 2021

Arising Out of PS. Case No.-1412 Year-2019 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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1. DINESH PANDIT @ DINESH KUMAR @ BACHCHA PANDIT Son of Bhundi Pandit Resident of Village - Sariswa Bazar, Ward No.10, P.S.- Majhauria, Distt.- West Champaran.
 2. Bibha Devi W/o Sunil Pandit @ Bhikhari Pandit Resident of Village - Sariswa Bazar, Ward No.10, P.S.- Majhauria, Distt.- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priyanka Kumari W/o Dinesh Pandit @ Dinesh Kumar @ Bachcha Pandit, D/o Ram Ayodhya Pandit Resident of Village - Gularia, P.S.- Gopalpur, Distt.- West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar
For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-10-2021 Heard learned counsel for the petitioners and learned APP
for the State through virtual mode.

Learned counsel for the petitioners is directed to remove the defects, as pointed out by the Office, within a period of four weeks.

The petitioners are apprehending their arrest in a case registered under Sections 498A/34 of the Indian Penal Code.

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



It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioner no. 1 is husband and petitioner no. 2 is sister-in-law of the victim. They have falsely been implicated in the present case due to petty family dispute. The case is triable by the Magistrate. The petitioners have 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 petitioners are named in the Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioners, 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) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Complaint Case No. 1412-C/2019 (Tr. No. 4329/2021), 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.

(Sudhir Singh, J)

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