

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5306 of 2021

Arising Out of PS. Case No.-31 Year-2020 Thana- SATHI District- West Champaran

=====

RITESH PANDEY @ RITESH KUMAR, (M), aged about 25 years, Son of
SUNIL PANDEY, Resident of Village-Fulwariya, Pandey Tola, P.S. - Sugauli,
District-East Champaran.

... .. Petitioner

Versus

1. THE STATE OF BIHAR.
2. KAJAL DEVI, Wife of RITESH PANDEY ALIAS RITESH KUMAR,
Daughter of Akhileshwar Pandey, Residing at Village-Pandey Tola, Mushari,
P.S. - Sathi, District-West Champaran.

... .. Opposite Parties

=====

Appearance :

For the Petitioner	:	Mr. Asif Kalim, Advocate.
For the State	:	Mr. A.G

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-04-2021 Learned counsel for the petitioner is directed to

remove the defects, as pointed out by the office, within a period

of four weeks.

Heard learned counsel for the petitioner and learned

A.P.P. for the State through Virtual mode.

The petitioner is apprehending his arrest in a case for

the offence registered under Sections 341, 323, 498(A), 307,

504, 506/34 of the I.P.C. and $\frac{3}{4}$ of the D. P. Act.

The prosecution story, in brief, is that the accused

persons including the petitioner tortured the victim due to non-

fulfilment of demand of dowry.

It has been submitted by learned counsel for the



petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case due to petty family dispute. The petitioner is the husband of the victim. There is no injury report on the record to support the allegation in respect of offence under Section 307 of the I.P.C. Rests of the offences are triable by the Magistrate. The petitioner has further 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 learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R./ complaint case.

Considering the aforesaid facts and circumstances of the case, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) only with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-III, Bettiah, West Champaran, in connection with Sathi P.S. Case No. 31/2020, 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)

U.K./-

U		T	
---	--	---	--

