

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69274 of 2019

Arising Out of PS. Case No.-399 Year-2019 Thana- COMPLAINT CASE District- Jamui

1. BAMBAM PANDEY @ BAMBAM KUMAR Son of Jai Shankar Pandey Resident of Village-Bartara, P.S-Ramgarh, District-Lakhisarai.
2. Ram Naresh Pandey Son of Late Ram Gulam Pandey Resident of Village-Bartara, P.S-Ramgarh, District-Lakhisarai.
3. Jai Shankar Pandey Son of Ram Naresh Pandey Resident of Village-Bartara, P.S-Ramgarh, District-Lakhisarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mosmat Dezi Kumari D/o Karyanand Pandey Village-Kaiyar, P.S-Sikandara, District-Jamui.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parmanand Pd. Nr. Sahi

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 27-09-2021 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 498A, 323, 504, 406/34 of the Indian Penal Code and Sections 3 and 4 of Prevention of Witch (Dain) Practices Act.

Allegation against the petitioners is of committing torture, both physically and mentally, 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 brother-in-law, petitioner no. 2 is grandfather-in-law and petitioner no. 3 is father-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 six 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 Judicial Magistrate, 1st Class, Jamui in connection with Complaint Case No. 399c/2019, 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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