

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53810 of 2019

Arising Out of PS. Case No.-84 Year-2018 Thana- NIMCHAKBATHANI District- Gaya

1. BUCHAN PANDIT @ SHASHI BHUSHAN Son of Late Karu Pandit, Resident of Village - Katari, P.S.- Neemchak Bathani, Distt - Gaya.
2. Jamahir Pandit Son of Late Karu Pandit, Resident of Village - Katari, P.S.- Neemchak Bathani, Distt - Gaya.
3. Sunaina Devi Wife of Buchan Pandit @ Shashi Bhushan, Resident of Village - Katari, P.S.- Neemchak Bathani, Distt - Gaya.
4. Tuntun Pandey @ Tuntun Pandit Son of Jamahir Pandit, Resident of Village - Katari, P.S.- Neemchak Bathani, Distt – Gaya. Petitioner/s

Versus

1. THE STATE OF BIHAR.
2. Rampati Devi Wife of Buchan Pandit, Resident of Village - Katari, P.S.- Neemchak Bathani, Distt – Gaya. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha
For the Opposite Party/s : Ms.Indu Kumari Srivastava

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

10 21-06-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the office within one month.

Heard the learned counsel for the petitioners as well as the learned Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in connection with Neemchak Bathani P.S. Case No. 84 of 2018 registered for offence punishable under sections 498(A), 494, 323/34 of the Indian Penal Code.

Petitioner no. 1 is husband of informant, Rampati Devi.



As per allegation, he has solemnized his second marriage with one Sunaina Devi and thereafter, he inflicted torture upon the informant and he also assaulted the son of the informant. It has also been alleged that despite of the fact that the informant was first legally wedded wife of petitioner no. 1, he facilitated Indira Aawas in favour of his fourth wife, Sunaina Devi. On protest, petitioner no. 1 threatened the informant to kill.

The matter was referred to the Patna High Court Mediation and Conciliation Centre. The report of Mediation Centre has been annexed at flag 'A', which shows that due to non-cooperation of the parties, the mediation could not be proceeded.

The FIR shows itself that petitioner no. 1 has solemnized his fourth marriage and he was inflicting atrocities on the informant, who is his first wife.

I do not find it a fit case for anticipatory bail. As such, **the prayer for anticipatory bail with respect to petitioner no.1 is hereby rejected.**

So far as petitioner nos. 2 to 4 are concerned, their prayer for anticipatory bail is allowed. **Let petitioner nos. 2 to 4, in the event of their arrest or surrender, within four weeks from today, be released on bail on furnishing bail bonds**



of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-X, Gaya in connection with Neemchak Bathani P.S. Case No. 84 of 2018, subject to condition as laid down under section 438(2) Cr. P.C.

Office shall ensure that all defects are removed by the petitioners within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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