

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.6412 of 2023**

Arising Out of PS. Case No.-721 Year-2018 Thana- ROHTAS COMPLAINT CASE District-  
Rohtas

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KAMLESH PANDEY S/o Late Banshidhar Pandey R/o village- Agrer  
(Khurd), P.S.- Suryapura, Distt- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Indubala Devi W/o Kamlesh Pandey, D/o Ram Parvesh Dubey At present  
Residing at Village- Sisirit, P.S.- Nokha, Distt- Rohtas.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Chandra Mohan Jha, Adv.

For the Opposite Party/s : Mr.Ahmad Ali, APP  
Mr.Ashutosh Tripathy, Adv.

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      11-04-2023      Heard the parties.

The petitioner apprehends his arrest in a case registered  
under sections 498(A)/406 of the IPC.

Allegedly, the petitioner being the husband of the  
informant is said to have established illicit relation with his  
sister-in-law and when the informant opposed the said act, he  
used to torture her. Thereafter, he took her ornaments and using  
her wealth on another lady and she is being subjected to mental  
and physical torture.

It is submitted by learned counsel for the petitioner that  
petitioner is an innocent person and has committed no offence.  
Petitioner has never tortured the informant and has been falsely  
implicated in the present case due to grudge. The petitioner has



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*. It is submitted that the marriage is of 31 years and petitioner is ready and willing to keep his wife with full honour and dignity.

Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his 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.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Complaint Case No.721/2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

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.

**(Anjani Kumar Sharan, J)**

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