

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37207 of 2023

Arising Out of PS. Case No.-1409 Year-2022 Thana- COMPLAINT CASE District- Banka

PERMANAND PANDIT, SON OF GHOLTAN PANDIT, RESIDENT OF
VILLAGE - BHANGA, P.O. - PATHRA, P.S. - BARAHAT, DISTRICT -
BANKA

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. USHA KUMARI, DAUGHTER OF TRIPURARI PANDIT, RESIDENT OF
VILLAGE - BHANGA, P.O. - PATHRA, P.S. - BARAHAT, DISTRICT -
BANKA

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Subhash Kumar Jha, Advocate
For the State	:	Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 22-08-2023 1. Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner has preferred this application for
grant of anticipatory bail apprehending his arrest in connection
with Complaint Case no. 1409 of 2022 instituted under sections
498A and 34 of the Indian Penal Code and wherein cognizance
has been taken under sections 498A, 323 and 504 of the Indian
Penal Code.

3. As per the prosecution case, the accused persons
including the petitioner herein, who happens to be the husband
of the complainant made a demand of Rs. 1 lac in cash and a
motorcycle and on non fulfillment of the same assaulted the



complainant as also her father and others. It is stated that the complainant and others went to the hospital for treatment. The police did not register the case.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case only on account of being the husband of the complainant. The allegations are false and concocted besides being general and omnibus in nature. It is further stated that no document whatsoever in support of the allegations including any chit of paper with respect to the treatment in the hospital as alleged has been brought on record to substantiate the allegation. The petitioner has no criminal antecedent.

5. Heard learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation, the submissions made on behalf of the petitioner, the allegation being general and omnibus in nature, no document in support of the allegation with respect to the alleged treatment in the private hospital as stated in the complaint having been brought on record and the petitioner not having any criminal antecedent, it is directed that the petitioner above named, in the event of his arrest or surrender before the learned court below within a



period of four weeks, be released on anticipatory bail in connection with Complaint Case no. 1409 of 2022 on furnishing bail bond of Rs 10,000/- (Rs. Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Banka.

(Partha Sarthy, J)

Spd/-

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

