

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39620 of 2023

Arising Out of PS. Case No.-746 Year-2021 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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PANKAJ YADAV @ PANKAJ KUMAR YADAV @ PANKAJ KUMAR Son
of Late Rammohit Singh Resident of village - Dadaur, P.S. - Bakhtiyarpur
Distt. - Patna

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Rajkumar Singh Son of Late Kaaru Singh Resident of village - Chandi Mor,
Harnaut, P.S. - Harnaut, Distt. - Nalanda

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kanupriya
For the Opposite Party/s : Mr.Kanhaiya Kishore (App.100)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 25-09-2023 Heard learned counsel for the petitioner and the State.

Office notes dated 13.9.2023 indicates that opposite party no.2
died on 6.6.2023.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 498A/34 and other
ancillary sections of the Indian Penal Code and sections 3 & 4
of the Dowry Prohibition Act.

3. It is a case of torture and harassment for dowry.

4. Petitioner is the husband of the daughter of opposite
party no.2. Learned counsel for the petitioner, while denying the
allegation, submits that the victim is living with the petitioner at
her matrimonial house with honour and safety and due to



ulterior reasons opposite party no.2 had falsely implicated the petitioner in the present case. It is also the submission of the petitioner that the case is 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**.

5. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let this petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Saharsa in Mahila Police Station Case No. 41 of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

6. Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within six weeks from today, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Nalanda at Biharsharif in Complaint Case No. 746C/2021, subject to the



conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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