

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65596 of 2023

Arising Out of PS. Case No.-92 Year-2022 Thana- MAHILA P.S. District- Bhojpur

Sudhir Kumar Pandey @ Bula Pandey S/O Late Kishun Kumar Pandey
Village - Bimari, P.S - Shahpur, District Bhojpur

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Archana Kumari @ Madhu Kumari D/O Uma Shankar Pathak R/O Vill -
Charghat, P.S. - Behea, Distt. - Bhojpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 07-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Mahila P.S. Case No. 92 of 2022 dated 04.11.2022, instituted for the offence punishable under Sections 498 (A), 341, 323, 504, 34 of the Indian Penal Code and Section 3/4 of D.P. Act.

3. The prosecution case, in short, is that, the informant alleged that her marriage took place with petitioner on 11.06.2022 and after four-five days of marriage, sasural people started demanding Bullet motorcycle and 5 katha land When she refused, they started harassing her. After that, the informant gave information to her parents, then all the accused persons



threatened that they will kill her and perform the marriage of her husband somewhere else. When informant's parents tried to convince them, they did not agree and tortured the informant and threw her out of her matrimonial house. Thereafter, the informant is living with her parents.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that the present case has been filed by informant only to save her skin from Matrimonial Case No. 295/2022 filed by the petitioner under Section 12 of Hindu Marriage Act for a decree of nullity of marriage, which is void. It is further submitted that the petitioner filed petition under Section 12 of Hindu Marriage Act on 21.07.2022, and thereafter present F.I.R. has been lodged on 04.11.2022 after about four months. Lastly, it has been submitted that the petitioner has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Mahila P.S. Case No.



92 of 2022, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Bhojpur at Ara, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

Sankalp/-

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