

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67917 of 2022

Arising Out of PS. Case No.-356 Year-2022 Thana- GOVINDGANJ District- East
Champaran

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ABHISHEK KUMAR PANDEY, S/o Brajeshwar Pandey R/o Village- Chandhi
Sthan, P.S.- Govindganj, Distt- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anshu Devi W/o Abhishek Kumar Pandey, D/o Jatashankar Dubey R/o
Village- Sabhirwa, P.S.- Majhauriya, Distt- West Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Advocate

For the Opposite Party/s : Mr.Anant Kumar I

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**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

2 26-04-2023 Heard learned counsel for the parties.

2. Learned counsel for the petitioner submits that he
had filed a divorce petition on 19.05.2022. Upon learning about
the divorce petition, the prosecutrix has filed Govindganj P.S.
Case No. 356 of 2022 dated 17.07.2022 under Sections
323/498A/34 of the Indian Penal Code and Sections 3/4 of the
Dowry Prohibition Act whereas she was living separately from
the petitioner.

3. Learned APP opposes the prayer of anticipatory
bail of the petitioner.

4. Without commenting further on merits of the case
and taking into consideration aforesaid aspects and that the



marriage took place four years earlier to it, I am inclined to grant anticipatory bail to the above named petitioner in the event of arrest, subject to the conditions as laid down under Section 438(2) of the Cr. P.C., which are as under:-

I. The petitioner shall cooperate with the investigation and make himself available for interrogation whenever required;

II. The petitioner shall not directly or indirectly make any inducement, threat or promise to any witness acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer;

III. The petitioner shall not obstruct or hamper the police investigation and not play mischief with the evidence collected or yet to be collected by the police;

IV. The petitioner shall maintain law and order;

V. The petitioner shall, at the time of execution of the bond, furnish his address and mobile number to the investigating officer, and the court concerned, and shall not change the residence till the final disposal of the case;

VI. The petitioner shall surrender his passport, if any, before the investigating officer within a week and,



if he does not possess any passport, he shall file an affidavit to that effect before the investigating officer; and

VII. The petitioner shall regularly remain present during the trial and cooperate the Court to complete the trial for the above offences.

(Sanjeev Prakash Sharma, J)

Ashwini/-
Item No.71

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