

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.33455 of 2024**

Arising Out of PS. Case No.-46 Year-2023 Thana- COMPLAINT CASE District- Banka

Pankaj Mandal @ Pankaj Kumar, Son of Ishwar Mandal Resident of Village -  
Udalkhut (Adalkhut) Tola - Bharsar, P.S.- Katoriya, District - Banka.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chandani Devi, Wife of Pankaj Mandal @ Pankaj Kumar Daughter of  
Kaleshwar Mandal, At present resident of Village, P.O. and P.S.- Chandan,  
District - Banka.

... .. Opposite Party/s

**Appearance :**

|                          |   |                                                          |
|--------------------------|---|----------------------------------------------------------|
| For the Petitioner/s     | : | Mr. Sanjay Kumar Jha                                     |
| For the Opposite Party/s | : | Mr. Chandra Bhushan Prasad- A.P.P.<br>Mr. MD. NURUL HODA |

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

3      12-07-2024                      1. Heard learned counsel for the petitioner, the  
  
learned counsel appearing on behalf of the complainant and  
  
learned APP for the State.

2. The petitioner seeks bail in anticipation of his  
  
arrest in a case registered for the offences punishable under  
  
Section 498(A) of the Indian Penal Code.

3. The learned counsel for the petitioner submits  
  
that the dispute is purely matrimonial and the present  
  
complaint case came to be instituted based on allegation  
  
which are exaggerated in nature. It is further submitted that  
  
petitioner is willing to keep the opposite party no.2 with



honour and dignity along with the child. It is also submitted that petitioner works as Labourer at Kolkata. It is next submitted that petitioner personally will go to the parental home of the opposite party no.2 on or before 01.08.2024 to fetch the opposite party no.2 and the child back to their matrimonial home.

4. The the learned counsel appearing on behalf of the opposite party no.2 submits that even opposite party no.2 is willing to restitute her conjugal rites with the petitioner along with the child. It is also submitted that if the petitioner will come to take back the opposite party no.2, in that event, the opposite party no.2 shall willingly accompany the petitioner to Kolkata along with the child.

5. In view of the submissions made by the parties, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of Shobhana Swetanki, the learned Judicial



Magistrate, 1<sup>st</sup> Class, Banka in connection with Complaint  
Case No.46 of 2023, subject to the conditions laid down  
under Section 438(2) of the Cr.P.C.

6. The application stands allowed.

7. However, it is made clear that the opposite party  
no.2 shall be at liberty to file an application seeking cancellation  
of anticipatory bail granted to the petitioner, in the event, if the  
petitioner does not take the opposite party no.2 and the child  
back to their matrimonial home on or before 01.08.2024.

**(Satyavrat Verma, J)**

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