

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48313 of 2024

Arising Out of PS. Case No.-466 Year-2022 Thana- OBRA District- Aurangabad

Dharmendra Nath Pandey @ Govind Pandey S/O Mahendranath Pandey @
Lallan Pandey R/O Village- Ubb, PS- Obra, Distt- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Singh, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 07-08-2024 Heard Mr. Ashok Singh, learned counsel for the
petitioner and the State.

2. The petitioner is apprehending his arrest in connection with Obra P.S. Case No. 466 of 2022 for the offence under Sections 341, 323, 504, 354, 307 and 34 of the I.P.C. lodged on 15.11.2022 by the informant, Sujata Kuar.

3. As per the prosecution story, the informant who is the widow sister-in-law of the petitioner alleged that in an inebriated state, he always used to misbehave and on the fateful day, he poured the boiling oil on her body, she got injured and this followed the FIR.

4. Learned counsel for the petitioner has taken this Court to the Annexure-2 to show the report of the Health Center, Obra (Aurangabad) that a single superficial injury has been



found over the chest of the lady and the opinion is that it is simple in nature. He submits that even the said injury has been found to be three to four days old. Further, the submission is that an exaggerated FIR has been lodged as there was a land dispute between the family and the last submission is that he do not have any criminal antecedent.

5. Learned APP, Mr. Jitendra Kumar Singh opposes the prayer submitting that allegation is of pouring of hot oil on the body of his sister in law.

6. Though the allegation is grave, the injury report does not match with the said allegation and a single superficial injury has been found over the chest and the Doctor has opined it to be simple in nature, there is a family dispute and the petitioner do not have criminal antecedent, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned SDJM, Daudnagar, Aurangabad in connection with Obra P.S. Case No. 466 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

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