

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78362 of 2023

Arising Out of PS. Case No.-143 Year-2022 Thana- MAHILA P.S. District- Patna

CHANDAN KUMAR PANDIT @ CHANDAN KUMAR Son of Shashi
Bhushan R/o vill - Panapur Langa, P.S. - Hajipur, Distt.- Vaishali

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Puja kumari, D/O- Satya Narayan Pandit R/O- village- Paschimi Nayachak
near kenra bank PO ManoharpurKachuhana P.S. Ramkrishna Nagar Dist -
Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Saurabh Kumar, Advocate
For the Opposite Party/s	:	Mr.Rabindra Kumar, APP
For the O.P No. 2	:	Mr. Krishna Kant Upadhyay, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

8 24-04-2025 1. Heard learned counsel for the petitioner, learned
APP for the State and learned counsel for the opposite party no.
2.

2. The petitioner apprehends his arrest in connection
with Mahila P.S. Case no.143 of 2022 registered under sections
498A, 509 and 506 of the Indian Penal Code and Section 3/4 of
the D.P. Act.

3. As per the prosecution case, the informant states
that her husband Chandan Kumar Pandit, the petitioner herein,
along with accused persons started to assault the informant
mentally and physically on account of non-fulfillment of
demand of dowry and also ousted her from matrimonial house.



4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. The allegation of demand of dowry and torture is false and concocted. The petitioner is always ready to keep his wife with full dignity and honour. The petitioner further submits that a case under Section 9 of the Hindu Marriage Act has been filed for restitution of the conjugal life bearing Case No. 332 of 2021 before the Principal Judge, Family Court, Vaishali and the present case has been lodged as a counter blast to the same.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State as also learned counsel for the opposite party no. 2.

6. At this stage, learned counsel for the petitioner submits that the petitioner makes an offer to pay Rs. 4,000/- to his wife in the second week of every month for her basic requirements along with her children. It goes without saying that the aforesaid payment shall be subject to any order passed in matrimonial maintenance case or any other collateral proceeding.

7. Considering the aforesaid facts of the case, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a



period of four weeks, be released on anticipatory bail in connection with Mahila P.S. Case no.143 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Patna, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023 and subject to the further condition that the petitioner shall co-operate in the investigation/trial.

8. If the opposite party no. 2 furnishes the Bank account in which the amount can be transferred and yet the petitioner fails to make the aforesaid payment of Rs. 4,000/- on two consecutive dates, the opposite party no. 2 would be at liberty to file cancellation of bail.

(Soni Shrivastava, J)

Harsh/-

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