

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84352 of 2024

Arising Out of PS. Case No.-44 Year-2018 Thana- SIRDALA District- Nawada

Sudhir Pandey @ Mantu Pandey S/O Rajendra Pandey R/O Village- Lodipur,
P.S- Muffasil, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rinku Devi W/O Sudhir Pandey Residing at Baijnath Pur, P.S- Sirdala,
Distt.- Nawada.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Kumari Jyoti, Advocate
For the State	:	Mr. Mritunjay Kumar Nirala, APP
For the OP No.2	:	Mr. Vinod Kumar, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 25-02-2025 Heard learned counsel for the petitioner and learned APP
for the State as also learned counsel for the O.P. No.2. Perused
the case diary.

2. The petitioner seeks bail in connection with Sirdala
P.S. Case No. 44 of 2018 instituted for the offence under
Sections 498A, 379, 337 & 323 of the Indian Penal Code and
Sections 3/4 of the Dowry Act.

3. The complainant alleged that after her marriage in
2001, she was subjected to cruelty for dowry and later ousted
from her matrimonial home. She lived with her husband in
Ghaziabad against his will but faced further mistreatment due to
his alleged affair. On 28-08-2014, she was assaulted, her



belongings were taken.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 09-09-2024. Petitioner bears no criminal antecedent/s, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Learned counsel for the petitioner submits that petitioner was granted anticipatory bail by the learned Sessions Judge, Nawada, based on a settlement where he agreed to keep OP No.2 with dignity and pay Rs. 3,000/- per month, which he duly complied with. Despite his efforts, the OP No.2 left him after five months and started living with another man, engaging in an adulterous relationship. The petitioner repeatedly tried to convince her to return for the sake of their daughter, but she refused, yet he continued financial support until April, 2019. However, the bail granted to the petitioner was cancelled on 12-07-2023 without considering the full facts and circumstances of the case.

6. Learned A.P.P. for the State and learned counsel for the O.P. No.2 have vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that there is maintenance



case pending between the parties.

7. Considering the aforesaid facts and circumstances of the case and period of custody of the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sirdala P.S. Case No. 44 of 2018.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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