

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.59678 of 2017**

Arising Out of PS. Case No.-490 Year-2017 Thana- KATIHAR COMPLAINT CASE  
District- Katihar

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Sanjay Kumar Choudhary @ Sanjay Choudhary son of Late Gaya Prasad Choudhary resident of village - Marangi, Jagdishpur, P.S. Barari, District - Katihar at present resided at C/o Kailash Biswas, Bihar Prabhat Nagar, near D.S. College, P.S. Katihar, District - Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Madhu Bharti wife of Sanjay Kr. Choudhary @ Sanjay Choudhary, daughter of Lilu Mandal resident of village Baina, P.S. Prampur, District Katihar.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Bimal Kumar, Adv.  
For the Opposite Party/s : SMT. GULNAR BEGAM, APP

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      11-12-2017              Heard learned counsel for the petitioner and learned APP  
for the State.

The petitioner is apprehending his arrest in a case registered under Section 498A of the Indian Penal Code and 4 of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture upon the victim due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case due to petty family dispute. The case is triable by the Magistrate. The petitioner has relied upon the judgment of



this Court in the case of Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006(3) PLJR 182.

On behalf of the State, it is submitted that the petitioner is named in the complaint case.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Katihar in connection with Complaint case No.490 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Narendra/-

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