

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28825 of 2017

Arising Out of PS.Case No. -393 Year- 2016 Thana -BUXAR COMPLAINT CASE District-
BUXAR

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1. Chhotu Kumar Choudhary Son of Ram Kumar Choudhary Resident of
Village Bhariyar, P.S. - Brahmpur, District Buxar.

.... Petitioner

Versus

1. The State of Bihar.
2. Mamta Devi Wife of Chhotu Kumar Choudhary, Daughter of Alagu
Choudhary Resident of Village - Balaon, P.S. - Sikaraul, Dist - Buxar.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha
For the Opposite Party/s : Smt. Anusuiya Jaiswal
: Mr. Anil Kumar Ray

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 25-08-2017 Heard learned counsel for the petitioner, learned

counsel for the complainant and learned counsel appearing on

behalf of the State.

The petitioner is apprehending his arrest in

connection with Complaint case No.393C of 2016 for the offence

instituted under Section 498(A) and 323 of the Indian Penal Code.

The allegation against the petitioner is of

committing torture upon the victim due to non-fulfillment of the

demand of dowry.

It has been submitted on behalf of the petitioner that

the petitioner has got no criminal antecedent. There is no

allegation of tampering of witnesses alleged against the petitioner.



The petitioner has falsely been implicated in the present case. The case is triable by the Magistrate. Due to petty family dispute, the present case has been instituted against the petitioner. The petitioner has further relied upon the judgment of this court, in the case of ***Md. Naimul Haque Ansari Vs. The State of Bihar, reported in 2006(3) PLJR 182.***

On behalf of the State and the counsel for the complainant, it has been submitted that the petitioner is named in the Complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Complaint case No.393C of 2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Buxar, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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