

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55723 of 2017

Arising Out of PS.Case No. -2440 Year- 2016 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

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1. Madan Kumar Choudhary, son of Muneshwar Choudhary @ Musai,
Resident of Village- Balrahi, Police Station Dandkhora, District- Katihar.

.... Petitioner

Versus

1. The State of Bihar.
2. Gunjan Devi @ Gunja Devi wife of Madan Kumar Choudhary, Daughter
of Mahendra Prasad Choudhary, Resident of Village- Devkhand, Post
Souria, Police Station Dandkhora, District Katihar.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Rama Nand Poddar

For the Opposite Party/s : Mr. Matloob Rab

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-11-2017 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the O.P. No.2.

The petitioner is apprehending his arrest in a case
instituted under Sections 498A, 406 of the Indian Penal Code and
3/4 of D.P. Act.

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, 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 arrest or surrender before the learned court below within a period of six weeks from today in connection with Katihar Complaint Case No.2440/2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Katihar, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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