

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43693 of 2017

Arising Out of PS. Case No.-18 Year-2012 Thana- SAUR BAZAR District- Saharsa

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1. Ashok Choudhary, Son of Late Kailash Choudhary
 2. Binod Choudhary, Son of Late Baleshwar Choudhary Both Resident of Village-Saharsa Basti, Police Station and District-Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s : Mr. SRI SHYAM BIHARI SINGH

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 17-11-2017 Heard learned counsels for the petitioners and the State.

Petitioners apprehends arrest in connection with Sour Bazar P.S. Case No. 18 of 2012 registered for the offence punishable under sections 341, 323, 498A, 364 and 34 of the Indian Penal Code.

Learned counsel appearing for the petitioners submits that the victim was having love affair with some other persons and she might have gone with him. Petitioner no. 1, who is the husband of the victim and petitioner no. 2, who is said to be associate of petitioner no. 1 have falsely been implicated in this case. Petitioners have no criminal antecedent.

Learned Addl. P.P. appearing for the State opposes the prayer for bail and submits that there is specific allegation



against these petitioner of actively participating in the commission of the offence. Moreover, the victim is still traceless.

Considering the nature of allegations levelled, the materials available on record and the submissions advanced on behalf of the parties, this Court does not find it to be a fit case for grant of anticipatory bail to the petitioners. The same is, therefore, rejected.

(Arvind Srivastava, J)

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