

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33474 of 2017

Arising Out of PS.Case No. -308 Year- 2016 Thana -BHABHU(KAIMUR) COMPLAIN C District-
BHABHUA (KAIMUR)

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1. Niraj Choubey S/o Late Baliram Choubey, R/o Village- Miriyan, Post-
Odar, P.S.- Sanhan, District- Kaimur at Bhabua.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Lilawati Devi W/o Niraj Choueby, R/o Village- Miriya, Post- Odar, P.S.-
Sonhan, District- Kaimur at Bhabua, At present address at Resident of
Village- Barka Ramdihara, Post- Derawa, P.S.- Kudara, District- Kaimur at
Bhabua.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-07-2017 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.

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 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 due to
petty family dispute. The case is triable by the Magistrate. The



petitioner has further 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 C.J.M., Kaimur at Bhabua in connection with Complaint case No.308 of 2016 (Trial No.1546 of 2016), 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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