

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12599 of 2018

Arising Out of PS. Case No.-673 Year-2017 Thana- NATHNAGAR District- Bhagalpur

Binay Choudhary, Son of Late Dillo Choudhary, Resident of Mohalla-Pasi Tola (Jain Mandir), Police Station-Lalmatiya, District-Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Champa Devi, Wife of Binay Choudhary and Daughter of Late Bijo Choudhary Resident of Mohalla-Pasi Tola (Jain Mandir), Police Station-Lalmatiya, District-Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Syed Masleh-uddin Ashraf
For the Opposite Party/s : Mr. CHANDRASEN PRASAD SINGH

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-03-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 341, 323, 498A and 504/34 of the Indian Penal Code.

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

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. On the earlier occasion also, O.P. No. 2 has instituted an another



case for similar offence. 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/F.I.R.

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 Chief Judicial Magistrate, Bhagalpur in connection with Nathnagar (Lalmatiya) P.S. Case No. 673 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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