

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19334 of 2018

Arising Out of PS.Case No. -126 Year- 2016 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

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Dharmendra Chaudhary, Son of Shivdhari Chaudhary @ Shivdhari,
resident of Village/Mohalla- Quarter No. 109/D, Camp-01, P.S.- Chhawani,
District- Durg, Chhattisgarh.

.... Petitioner

Versus

1. The State of Bihar.
2. Chandani Devi, Wife of Dharmendra Chaudhary, Daughter of Tulsi Chaudhary, presently at Village/Mohalla- Pali, P.S.- Dehri, District- Rohtas.

.... Opposite Parties

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Appearance :

For the Petitioner : M/S. Utsav Kumar, Manish Kumar No. 2,
Apurva Kumar, Gajendra Kumar Singh and
Avnish Kumar Singh, Advocates.

For the State : Mr. Md. Nazir Ansari, A.P.P. 106.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-04-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 498(A), 341, 323 and 504/34
of the IPC.

The prosecution story, in brief, is that the accused
persons including the petitioner tortured the victim due to non-
fulfilment of demand of dowry.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent. There



is no allegation of tampering with the 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 learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or 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 the learned S.D.J.M. Dehri at Sasaram, in connection with Complaint Case No. 126/2016 and ensuing Trial No. 1564/2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)