

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3455 of 2018

Arising Out of PS. Case No.-125 Year-2017 Thana- MAJHAHGARH District- Gopalganj

Pradeep Choudhary, Son of Late Harihar Choudhary, Resident of Village-
Koinie, P.S.- Manjhagarh, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Chanda Devi, Wife of Pradeep Choudhary, D/o Awadhesh Choudhary,
Resident of Village- Koinie, P.S. Manjhagarh, District- Gopalganj.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Dhramveer, Adv.
For the State	:	Mr. Akbar Ali, APP
For O.P. No.2	:	Mr. Ravindra Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

6 09-04-2018 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the opposite party No.2.

The petitioner is apprehending his arrest in a case registered under Sections 341, 323, 307, 504, 498A/34 of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

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

On 13.02.2018, the matter was adjourned on the submission of the parties that they wanted to file a joint affidavit in respect to one time settlement. Similar prayer was made on 26.02.2018 as well as on 21.02.2018. When the matter is taken



up today, it has been submitted that no settlement could be arrived between the parties.

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. Except for the offence under Section 307 of the I.P.C. all other Sections are 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 and learned counsel for the opposite party No.2, it is submitted that the petitioner is named in the 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 C.J.M., Gopalganj in connection with Manjhagarh P.S. case No.125 of 2017, 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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