

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.72873 of 2019**

Arising Out of PS. Case No.-36 Year-2019 Thana- MAHILA P.S. District- Bhagalpur

Manoj Kumar Choubey S/o Indeshwari Choubey R/o village- Kaitha, P.O.-  
Singhnan, P.S.- Rajoun, District- Banka

... .. Petitioner/s

Versus

1. The State Of Bihar
  2. Nikita Dubey D/o Prabhat Shankar, W/o Manish Kumar R/o  
Village/Mohalla- Laluchak, P.S.- Lodipur, District- Bhagalpur
- ... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Chandra Shekhar Sharma, Adv.  
Mr. Dharendra Nath Jha, Adv.  
For the Opposite Party/s : Mr. Mukeshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA  
JAISWAL**

ORAL ORDER

2      18-12-2019                      Heard learned counsel for the petitioner and  
learned APP for the State.

Petitioner apprehends his arrest in connection with  
Bhagalpur Mahila P.S. Case No. 36 of 2019 registered for the  
offence punishable under Sections 120(B), 376, 498(A) and  
494/34 of the Indian Penal Code and Section 3/4 of Dowry  
Prohibition Act.

Son of the petitioner, namely, Manish Kumar  
established sexual relation with the informant on the pretext of  
performing marriage with her and after performing marriage in  
the temple took at her house where his family members also  
accepted her. Subsequently, Manish Kumar left her and went to  
Ranchi and performed marriage with another girl and his family



members also participated in the said marriage. Family members of Manish including the petitioner always mounted pressure upon the informant for the dowry.

It is submitted by learned counsel for the petitioner that the petitioner has no concern with the aforesaid occurrence. He has neither made any dowry demand from the informant nor mounted pressure upon her for the same. He has been falsely implicated in this case merely because he happens to be father of Manish Kumar. Victim in her statement recorded under Section 164 Cr.P.C. has stated that the petitioner along with his family members mounted pressure upon the informant for the dowry and participated in the second marriage of Manish Kumar with another girl. Aforesaid allegation is not specific rather general and omnibus in nature. Petitioner has no criminal antecedent.

On the other hand, learned APP opposed the bail prayer of the petitioner.

In the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount



each to the satisfaction of learned S.D.J.M., Bhagalpur in connection with Bhagalpur Mahila P.S. Case No. 36 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

**(Prakash Chandra Jaiswal, J)**

rohit/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

