

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76394 of 2019

Arising Out of PS. Case No.-37 Year-2019 Thana- NOWKOTHI GARHPURA District-
Begusarai

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Nitish Choudhary @ Nitesh Choudhary, Son of Ravindra Choudhary Resident
of Village- Rariyauna, Gamaharia, P.S.- Nawkothe, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Pritish Kumar Lal, Advocate
For the informant	:	Mr. Ajay Kumar Sinha, Advocate
For the Opposite Party/s	:	Mr.Upendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

6 25-09-2020 Heard learned counsel for the petitioner, learned
counsel appearing for the informant and the learned A.P.P. for
the State through video conferencing.

The petitioner apprehends his arrest in connection
with Naokothi P.S. Case No. 37 of 2019, registered under
Sections 304(B) and 201/34 of the Indian Penal Code, pending
in the court of the learned Sri Rajeev Ranjan, Judicial
Magistrate, 1st Class, Begusarai.

The accusation is that marriage of Mamta Devi, sister
of informant Sambhu Choudhary, was performed before two
years with Nitish Choudhary (Petitioner) and due to wedlock,
her sister was blessed with a female issue aged about one year,
but after the marriage of six months, his sister was being



tortured for cash of Rs. 50,000/- and a motorcycle, in dowry. On 27.04.2019, in the morning, informant received call to the effect that if the dowry amount will not be paid within one hour, the consequences will be horrendous. After one hour, in-laws' of his sister also gave threatening for dire consequences in case of non-fulfillment of demand of dowry and his sister also informed that if he would not take her, she will be killed. Thereafter, when informant reached at the matrimonial house of his sister then he found no any family members of his sister at the house. The informant raised suspicion about killing of his sister by her husband and in-laws due to non-fulfillment of demand of dowry.

Learned counsel appearing on behalf of petitioner submits that, admittedly, the petitioner is the husband of deceased and his wife, sister of informant, died due to chronic disease, but with ulterior motive the petitioner has falsely been implicated in this case by the informant only to extort money.

Having considered the facts and circumstances of the case and also the fact that deceased died in her matrimonial house within two years of her marriage, I am not inclined to grant pre-arrest bail to the petitioner. Accordingly,



his prayer for grant of pre-arrest bail stands rejected. The petitioner is directed to surrender before the trial Court within four weeks and pray for regular bail, which shall be considered by the trial Court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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