

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26979 of 2023

Arising Out of PS. Case No.-335 Year-2021 Thana- PATNA COMPLAINT CASE District-
Patna

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1. Gyanchand Choudhary Son of Late Ramavtar Choudhary R/o Ward No. 5, Near- Namghar, P.O- Barpeta Road, PS- Barpeta Dist- Barpeta, State- Assam
 2. Priety Choudhary @ Preity Chaudhary Daughter of Gyanchand Choudhary and Wife of Anshu Gupta R/o Ward No. 5, Near- Namghar, P.O- Barpeta Road, PS- Barpeta Dist- Barpeta, State- Assam
 3. Amit Choudhary @ Amit Chaudhary Son of Gyan Chand Choudhary R/o Ward No. 5, Near- Namghar, P.O- Barpeta Road, PS- Barpeta Dist- Barpeta, State- Assam

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kriti Rohatgi @ Dr. Kriti Rohatgi Daughter of Ashok Rohatgi R/o Mohalla- Lallu Babu Ka Kucha, P.O Begampur, PS- Chowk Dist- Patna

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr.Prince Kumar Mishra, Advocate
For the State	:	Mr.Satyendra Narayan Singh, APP
For opposite party No.2	:	Mr.Arun Kumar Satyamurti, Advocate Mr.Sah Anand Krishna, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioners, learned APP for the State and learned counsel for the opposite party No.2.

The petitioners are apprehending their arrest in a case registered under Sections 420, 498A, 504, 506, 120B of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

Allegation against the petitioners is of committing torture upon the victim due to non-fulfilment of demand of dowry. The petitioners also took the entire jewellery of the complainant



valued about Rs.20 lacs from the locker.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The case is triable by the Magistrate. The petitioner No.1 is father-in-law, petitioner No.2 is sister-in-law and petitioner No.3 is brother-in-law of the complainant. The petitioners have 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 petitioners are named in the complaint case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of twelve 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 Court below/concerned Court in connection with Complaint case No.335/2021, subject to the conditions as laid down under



Section 438(2) of the Code of Criminal Procedure.

The petitioners are directed to co-operate during the trial.
If the petitioners do not co-operate during the trial, the court below will be at liberty to cancel the bail bonds of the petitioners.

If so advised, either of the parties will be at liberty to make an application before the Court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement. In case, any such application is made by either of the parties, the court below shall refer the matter to the District Mediation Centre.

(Sudhir Singh, J)

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