

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43254 of 2023

Arising Out of PS. Case No.-914 Year-2021 Thana- PURNIA COMPLAINT CASE District-
Purnia

Subodh Choudhary Son of Late Bhasse Choudhary Resident of Village-
Chadoun, P.S.- Muffasil , District- Munger.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajit Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Dr. Ajeet Kumar, APP
For the Complainant	:	Mr. Nafusuzzoha, Advocate

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioner, learned
counsel for the complainant and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in Complaint
Case No. 914 of 2021 in which cognizance has been taken
against the petitioner under Sections 149, 323, 325, 354B, 426,
504, 506 of the Indian Penal Code.

3. The allegation as per the complainant is that
petitioner alongwith 40-50 police force entered into the house of
complainant and the complainant who is an advocate asked
about search warrant and his son started making videograph,
they abused the complainant and also assaulted the son and
daughter of complainant.

4. Learned counsel for the petitioner submits that the



petitioner was the officer-in-charge of Kishanganj Mahila Police Station and Kishanganj Mahila P.S. Case No. 27 / 2021 was instituted against the complainant and his family members with allegation that the minor daughter of informant has been kidnapped by them. After appraising the Senior Officer the petitioner requested to the complainant to let them search his house, but the complainant filed this false and concocted complaint case. The allegations made in the complaint case are false but the cognizance of the offence has been taken without sanction under Section 197 Cr.P.C. Learned counsel for the petitioner further submits that petitioner is a person with clean antecedent.

5. Learned counsel for the petitioner submits that similarly situated co-accused Anand Kumar @ Anand Mohan Gupta and Mithilesh Kumar have been granted anticipatory bail vide order dated 02.08.2023 and 06.07.2023 in Criminal Miscellaneous No. 40378 of 2023 and Criminal Miscellaneous No. 26934 of 2023 respectively.

6. Learned A.P.P. for the State and learned counsel for the complainant oppose the prayer for anticipatory bail of the petitioner.

7. Considering the submissions made by the learned



counsel for the petitioner and facts and circumstances of the case, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Complaint Case No. 914 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Sunil Dutta Mishra, J)

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