

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7647 of 2024

Arising Out of PS. Case No.-299 Year-2021 Thana- SHASTRINAGAR District- Patna

DR. BINOD KUMAR CHOUDHARY @ BINOD KUMAR CHOUDHARY
S/O LATE DR. RAJENDRA NARAYAN CHOUDHARY R/O MOHALLA-
ROAD NO. 9, RAJIV NAGAR, P.S- SHASTRI NAGAR, DISTT.- PATNA
(BIHAR), PIN- 800024.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. ANKITA PANDEY D/O BRAJESH PANDEY R/O 76/84, OFFICERS
FLAT, NEW PUNAICHAK, P.S- SHASTRINAGAR, DIST.- PATNA.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Amit Srivastava, Sr. Advocate Mr. Kunal Tiwary, Advocate
For the Opposite Party/s	:	Mr. Anand Kishore Choudhary, APP
For the Informant No. 02	:	Ms. Shama Sinha, Advocate Mr. Prem Ranjan Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 17-02-2024 Heard Mr. Amit Srivastava learned Senior counsel for
the petitioner duly assisted by Mr. Kunal Tiwary and Mrs.
Shama Sinha duly assisted by Mr. Prem Ranjan Kumar.

2. The petitioner is apprehending his arrest in
connection with Shastri Nagar P.S. Case No. 299 of 2021 for the
offence under Sections 341, 342, 323, 498A, 504, 506 and 34 of
the I.P.C. lodged on 01.08.2021, by the informant, Ankita
Pandey.

3. As per the prosecution story, the informant Ankita
Pandey has alleged that she got married to Shivam Chaudhary



son of this petitioner who resides in United States but she was always tortured for dowry and had to live as a beggar in her own home. She was in the United States also with her husband and was tortured, forcing her to call the Emergency number 911 (The American Police Helpline Number), who rescued her and later she came back to India. Accordingly, the FIR.

4. Learned Senior counsel for the petitioner submits that the husband is not before the Court rather it is the renowned physician, an aged person, is ill and only because he is an unfortunate father of the son with whom the lady is having litigation, he was implicated. Learned Senior counsel further submits that he is ready to appear in the trial diligently.

5. Learned APP opposes the prayer stating that she was tortured not only by the petitioner but by the family members too.

6. The husband is not before this Court rather it is the father-in-law. Even as per the allegation, while some allegation pertains to United States, he is an aged person and as per the learned Senior counsel, is ill and in that background, considering the fact that he do not have criminal antecedent and as undertaken that he will be diligently appearing in the trial, putting him in jail will serve no purpose, this



Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned A.C.J.M-IV, Patna in connection with Shastri Nagar P.S. Case No. 299 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty



to take steps for cancellation of his bail bonds.

9. With the aforesaid observations, the anticipatory
bail application is allowed.

(Rajiv Roy, J)

Adnan/-

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