

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28125 of 2024

Arising Out of PS. Case No.-21 Year-2023 Thana- MAHILA PS District- Buxar

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SWASTIK CHOUBEY S/O SANJAY CHOUBEY R/O MOHALLA /VILL -
SOHANI PATTI, BUXAR, P.S. - BUXAR (TOWN), DISTT. - BUXAR

... .. PETITIONER/S

VERSUS

1. THE STATE OF BIHAR
2. AYUSHI KUMARI D/O SAROJ THAKUR R/O VILL AND P.O. -
MAJHARIAN, P.S. - BUXAR (INDUSTRIAL), DISTT. - BUXAR

... .. OPPOSITE PARTY/S

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Roy, Advocate
For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 22-07-2024 Heard learned counsel for the petitioner and

learned A.P.P. for the State. Despite valid service of notice,

nobody appears on behalf of opposite party no. 2.

2. The petitioner, husband of the victim,

apprehends his arrest in a complaint case punishable for the

offence under Sections 323 , 504, 498(A) and 506 of the

Indian Penal Code .

3. As per complaint, the daughter of the



complainant was married with this petitioner in the year 2022 and after the marriage, when she went to her matrimonial house, she was subjected to torture and cruelty by this petitioner and other in-laws of family members due to non-fulfillment of demand of dowry .

4. Learned counsel for the petitioner, while denying the allegations made in the Complaint, submits that petitioner has been falsely implicated in this case merely because he happens to be husband of the victim. However, he is ready to keep the victim with full honour and dignity. Moreover, the case is triable by the learned Magistrate. The petitioner has further 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*** . Petitioner claims clean antecedent.

5. Considering the aforesaid facts and circumstances, in the event of arrest or surrender within a period of six weeks from today, let this petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Judicial Magistrate , Buxar in connection with Buxar (Mahila) PS Case No. 21 of 2023 , subject to the



conditions, as laid down under Section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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