

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38929 of 2024

Arising Out of PS. Case No.-1378 Year-2022 Thana- SAHARSA COMPLAINT CASE
District- Saharsa

Manoj Choudhary son of Lakhan Pasi Village- Tulsiyahi Po- Rahua Ps- Bihra
Dist- Saharsa

... .. Petitioner

Versus

1. The State of Bihar
2. Puja Devi wife of Manoj Choudhary, D/o- Late Ashok Choudhary Village-
Tulsiyahi Po- Rahua Ps- Bihra Dist- Saharsa, P/A- Barah Kurwa Po- Simri
Bakhtiyarpur Dist- Saharsa

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr.Amarnath Jha, Advocate

For the Opposite Party/s : Ms/Mrs. Sucheta Yadav, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 24-09-2024 Heard learned counsel for the petitioner and the State.
Despite valid service of notice, nobody appears for opposite
party no.2.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 323, 341, 325, 498A,
504,506/34 of the Indian Penal Code.

3. As per the prosecution case, 10 years back petitioner
was married with opposite party no.2 and from the said
wedlock they were blessed with three male child. Later on,
petitioner along with other family members committed torture
on opposite party no.2 due to non-fulfilment of dowry demand
and also ousted her from the matrimonial house.

4. Learned counsel appearing for the petitioner while
denying the allegations, submits that the petitioner has falsely
been implicated in this case because he is husband of the
victim. However, he is ready to keep the victim in matrimonial
house with honour and dignity. The case is triable by the



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**.

5. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within 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 Judicial Magistrate 1st class, Saharsa in Complaint Case No. 1378 of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

Shashi

U		T	
---	--	---	--

