

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48891 of 2022

Arising Out of PS. Case No.-180 Year-2022 Thana- BARH District- Patna

Surendra Chaudhary @ Surendera Kumar S/O Yugl Chaudhary Resident Of
Village - Alampur, P.S.- Barh, District - Patna.

... .. Petitioner/S

Versus

1. The State Of Bihar
2. Munni Kumari W/O Late Kishun Kumar Resident Of Village - Alampur,
P.S.- Barh, District - Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kameshwar Singh, Advocate

For the Opposite Party/s : Mr.Md. Mushtaque Alam, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

9 30-01-2025 Heard learned counsel for the petitioner and the State.
Nobody appears for opposite party no.2 inspite of valid service
of notice.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 341, 323, 379, 498A, 504,
506/34 of the Indian Penal Code and sections 3 & 4 of the
Dowry Prohibition Act.

3. As per prosecution case, husband of opposite party
no.2 died on 11.2.2021. Thereafter, petitioner and his family
members started assaulting her for bringing Rs. 2 Lacs from
parents' house. Petitioner is also alleged to have snatched her
gold chain.

4. It is submitted on behalf of the petitioner that the
petitioner happens to be brother-in-law of opposite party no.2.
He is posted in Middle School Chatgawn, Tola Sewak.
Allegation of torture and harassment is general and omnibus and
no overt act has been alleged against him. He is separate in mess
and business. F.I.R. has been lodged after inordinate delay of 32



days without any explanation which renders the entire prosecution case doubtful. Petitioner claims clean antecedent.

5. Learned counsel for the State opposes the prayer for bail.

6. Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within eight weeks from today, let the petitioner, mentioned 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 Additional Chief Judicial Magistrate I, Barh, Patna in Barh Police Station Case No. 180/2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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