

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68930 of 2024

Arising Out of PS. Case No.-612 Year-2023 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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Chuman Choudhary Son of Shravan Choudhary Resident of Village - Bakuli,
Police Station - Laukariya, District - West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Lalsa Devi @ Lalsa Kumari Wife of Chuman Choudhary, Daughter of
Ramagya Choudhary Resident of Village - Guyati, Police Station - Bagaha
(Patkhoul), District - West Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Milind Kumar Mishra
For the Opposite Party/s : Mr.Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 03-02-2026 Heard the parties.

2. The petitioner is named in the complaint and apprehending his arrest in connection with C.A. Case No. 612 of 2023 registered for the offences punishable under Sections 323, 341, 498-A, 504 and 506/34 of the Indian Penal Code.

3. As per complaint, petitioner alleged to commit mental and physical cruelty upon complainant due to non-fulfillment of demand of dowry.

4. It is submitted by learned counsel appearing on behalf of the petitioner that



complaint in issue was raised on the basis of false and fabricated allegation and therefore same not appears supported through affidavit. It is pointed out that non-supporting of complaint on affidavit is a clear violation of legal ratio as established through **Priyanka Srivastava and Another Vs. State of Uttar Pradesh and Others, [(2015) 6 SCC 287]**. The last occurrence in terms of allegation took place on 20.03.2023, but the complaint in issue was filed on 13.04.2023 with a delay of 23 days without having any just explanation. Arguing further it is submitted that allegation *qua* mental and physical cruelty appears very much general and omnibus in nature against this petitioner. While concluding the argument it is submitted that petitioner is a man of clean antecedent.

5. Learned APP opposed the prayer of bail.

6. In view of aforesaid factual and legal submission and by taking note of fact as allegation *qua* mental and physical cruelty appears very much general and omnibus in nature *qua*



petitioner, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-III, Bagaha, West Champaran/concerned Court, where the case is pending in connection with C.A. Case No. 612 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/ Section 482(2) of BNSS.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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