

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37107 of 2015

Arising Out of P.S.Case No. -181 Year- 2014 Thana -BIBHUTIPUR District- SAMASTIPUR

Jai Shankar Choudhary, Son of Umesh Chandra Chaudhary, resident of
Village- West Tola Tavka, P.S.- Bibhutipur, District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amitabh Bhardwaj, Advocate

For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 09-09-2015 Heard learned counsel for the petitioner Sri Amitabh Bhardwaj and learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Bibhutipur P. S. Case no. 181 of 2014 for the offence alleged under Section 304B/34 of the Indian Penal Code.

The prosecution case is that on 20.7.2014 sister of the informant, who was married to Chandan Chaudhary about four years ago, was burnt to death by her in-laws on account of non-fulfilment of demand of dowry.

It has been submitted by the learned counsel for the petitioner that he is a co-villager cum friend of the husband of the deceased and has no connection with the alleged offence. It has further been submitted that petitioner has been falsely implicated in the aforesaid case. A coordinate Bench of this Court in Cr. Misc. no. 2430 of 2015 vide order dated 25.5.2015 has granted the privilege of anticipatory bail to Radha Devi, mother-in-law of the deceased.

Under such circumstances, let petitioner, namely, Jai Shankar Choudhary, in the event of his arrest or surrender before the court below within a period of six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of Sri A. Kumar, learned Judicial Magistrate, Ist Class, Rosera in Samastipur, in connection with Bibhutipur P. S. Case no. 181 of 2014, subject to the following conditions:-

- i) That one of the bailors will be a close relative of the petitioner who will file an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.
- ii) That the petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delay the trial in any manner, his bail will be liable to be cancelled for reasons of misuse.
- iii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Nilu Agrawal, J)

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