

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25380 of 2015

Arising Out of PS.Case No. -74 Year- 2013 Thana -MOHIUDDIN NAGAR District-
SAMASTIPUR

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1. Madhuwan Chaudhary @ Madhuban Choudhary Son of Late Raghu Chaudhary resident
of Village - Chakjohra, P.S. - Mohiuddin Nagar, District - Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabindra Prasad Singh

For the Opposite Party/s : Mr. Anant Kumar(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

4 08-10-2015 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

Petitioner seeks bail in connection with Mohiuddin
Nagar P.S. Case No. 74 of 2013 registered for the offences
punishable under Section 304(B)/34 of the Indian Penal Code.

Puja Devi, the niece of the informant was married four
years ago with Amarjeet Chaudhary, the son of the petitioner and
thereafter due to non-fulfillment of demand of motorcycle, she
was burnt to death along with her two year old son Harsh Raj and
deceased was also pregnant.

Submission is of false implication that against the
petitioner who is father-in-law, there is no specific allegation. In
the court below a compromise petition was filed by the informant
after realizing the reality. The petitioner is suffering in custody

since 24.02.2015. Chargesheet has already been submitted. The deceased had left a suicide note and allegation for demanding motorcycle is not true and, as such, petitioner deserves sympathetic consideration.

Learned A.P.P. fairly submits that petitioner is father-in-law and against him there is no specific allegation.

In the facts and circumstances stated above, considering the chargesheet has already been submitted and there is no chance of tampering with prosecution evidence, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Learned Judicial Magistrate, 1st Class, Samastipur arising out of Mohiuddin Nagar P.S. Case No. 74 of 2013 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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