

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.28457 of 2017**

Arising Out of PS.Case No. -184 Year- 2015 Thana -DINARA District- SASARAM (ROHTAS)

=====

Sukaru Chaudhary @ Sukar Chaudhary, son of Hiralal Chaudhary, Village-  
Saisar, P.S.- Dinara, District- Rohtas.

.... .... Petitioner

Versus

The State of Bihar.

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Subash Kumar, Advocate

For the Opposite Party/s : None.

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

**2. 06-07-2017** Heard learned counsel for the petitioner.

None appears on behalf of the State.

Learned counsel for the petitioner submits that the petitioner is said to be the Bhaisur (elder brother of the husband of the deceased) and seeking regular in connection with Dinara P.S. Case No. 184 of 2015 registered for the offence punishable under Sections 304(B), 201 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that from perusal of the First Information Report, it would appear that there is a general and omnibus allegation against each and every family members of the husband. So far as the present petitioner is concerned, there is no specific allegation against him, he is separately living in



mess and business. Learned counsel further refers the documents enclosed with the petition to show that in fact after the alleged occurrence in which the victim lady got burnt, police recorded the statement of the victim in presence of the father-in-law, the cremation took place in presence of a number of persons and the certificate to that extent is enclosed with the application. Learned counsel for the petitioner would also submit that the informant has later on understood that she lodged the present case at the instance of co-villagers who were having inimical relationship due to on going land dispute.

Learned counsel for the petitioner further submits that although the petitioner is an accused in another case under Section 323, 324, 379, 504/34 of the Indian Penal Code due to dispute in the village, however he is on bail in the said case.

Learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances of the case particularly that the petitioner is the elder brother of the husband of the deceased, and he is in custody since 28.12.2016, let the petitioner, above named, be enlarged



on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1<sup>st</sup> Class, Bikramganj, Rohtas, in connection with Dinara P.S. Case No. 184 of 2015, subject to condition as laid down under Section 437(3) of the Code of Criminal Procedure.

**(Rajeev Ranjan Prasad, J.)**

Rajeev/-

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