

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.54886 of 2016**

Arising Out of PS.Case No. -400 Year- 2016 Thana -NAWADA District- NAWADA

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1. Chandan Chauhan, Son of Ramchandra Chauhan @ Bahadur Chauhan,  
resident of village - Ghaghauli, P.S. Nawada Town, District - Nawada

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Bharat Lal

For the Opposite Party/s : Mr. Sri Anuj Kumar Srivastava

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR**  
**JHA**

**ORAL ORDER**

3      27-02-2017                      Heard both sides.

The petitioner seeks bail in Nawada Town P.S. Case No. 400/2016, registered for the offence punishable under Section 302 of the Indian Penal Code.

The informant alleged that she was married to the petitioner on 04.04.2012 and she went to her Sasural but her husband, father-in-law and mother-in-law began to assault her due to non-fulfillment of demand of dowry. On 21.07.2016, her husband, father-in-law and mother-in-law entered into her house with intention to kill her but somehow she managed to flee away. Her mother-in-law while entering put her nine months' daughter on the ground violently and she died.

Learned counsel for the petitioner submits that the petitioner is the husband of the informant. The informant did not



make any allegation of assault against the petitioner. The informant made specific allegation against her mother-in-law that she put her daughter violently down on the ground and that is why she died, but during course of investigation the witnesses have stated a different story that while the informant was trying to take her daughter to her Naihar some altercation took place between the family members on the one side and the informant on the other. In such a scuffle the daughter of the informant fell down on the ground and she died. Police after investigation submitted charge-sheet under Section 304 of the Indian Penal Code.

Considering the facts aforesaid and the fact that there is no allegation of assault against the petitioner, the informant made specific allegation against Sosi Devi, mother-in-law of the informant that she put her daughter violently on the ground and consequently her daughter died, the petitioner above named is directed to 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 the learned Chief Judicial Magistrate, Nawada in connection with Nawada Town P.S. Case No. 400/2016.

**(Prabhat Kumar Jha, J.)**

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