

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.18689 of 2017

Arising Out of PS.Case No. -269 Year- 2016 Thana -GOPALGANJ TOWN District- GOPALGANJ

Santosh Chauhan Son of Late Jagdhari Chauhan, Resident of village -
Nonia Toli, Purani Chauk, P.S. Gopalganj, District - Gopalganj

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Naresh Chandra Verma

For the Opposite Party/s : Mr. Sri Akhileshwar Dayal

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

ORAL ORDER

3 23-06-2017 Heard learned counsel for the petitioner and learned
APP representing the State.

The petitioner seeks bail in connection with Gopalganj
Town P.S. Case No. 269 of 2016 registered for the offence
punishable under Sections 304B/34 of the Indian Penal Code.

Pushpa Devi, the sister of the informant, was married to
the petitioner on 04.05.2016 and thereafter, the petitioner and
others started demanding dowry by way of cash of Rs. 5 lakhs
and motorcycle and due to non-fulfillment started torturing and
assaulting her and on 25.06.2016 the petitioner and others after
closing her in a room killed her by pressing her neck.

Submission is of false implication and that the informant
has lodged this case as an eye witness which is not correct, he was
not present at that time there, as a matter of fact the wife of the



petitioner died due to hanging as she committed suicide. During post mortem the doctor has found the cause of death as asphyxia due to hanging and as such the petitioner deserves sympathetic consideration.

Learned APP opposes the prayer of bail by submitting that the informant being an eye witness lodged this case and further during investigation the witnesses have supported regarding demand of dowry and assault committed by the petitioner and others.

In the facts and circumstances stated above, considering that the petitioner is in custody since 26.06.2016, chargesheet has already been submitted and there is no chance of tampering with the 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 Additional Sessions Judge II, Gopalganj in Sessions Trial No. 931 of 2016 arising out of Gopalganj P.S. Case No. 269 of 2016, subject to the conditions that one of the bailors must be a 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.

avin/-

(Jitendra Mohan Sharma, J)

U		T	
---	--	---	--

