

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38126 of 2018

Arising Out of PS. Case No.-36 Year-2018 Thana- SATHI District- West Champaran

Bechu Chaudhary, S/o Dhury Chaudhary, R/o village- Lachhanauta, P.S.-
Sathi, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey
For the Opposite Party/s : Smt. Anita Kumari Singh

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 09-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
18.03.2018 in connection with Sathi P.S. Case No. 36 of 2018
for offences punishable under Sections 304(B), 201/34 of the
Indian Penal Code.

The prosecution case, as lodged by the informant, is
that his daughter Prabha Devi was married to one Harishankar
Chaudhary in the year 2017 and due to non-fulfillment of
demand of dowry she has been killed in less than one year of
marriage. The petitioner is the elder brother-in-law of the
deceased.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal history and has
been falsely implicated in the aforesaid case. He submits that



the husband of the deceased Harishankar Chaudhary is already in custody as per his supplementary affidavit at paragraph-2 stating the date of custody as 09.04.2018. He further submits that general and omnibus allegations have been levelled against all family members, petitioner is a married person and has his home and hearth separate from that of the deceased and her husband. It is also submitted that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, 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 learned Addl. District and Sessions Judge-1st cum-Special Judge, Bettiah, West Champaran, in connection with Sathi P.S. Case No. 36 of 2018, subject to the following conditions :

- (i) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.



- (ii) Petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/Pragya

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