

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46817 of 2019

Arising Out of PS. Case No.-82 Year-2019 Thana- BHAGWANPUR District- Begusarai

NAND KISHORE CHOUDHARY @ FUCHO CHOUDHARY Son of Late
Ram Nandan Choudhary Resident of Village - Raghunandanpur, P.S.-
Bhagwanpur, Distt.- Begusarai. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Randhir Kumar No.1
For the Opposite Party/s : Mr.Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 25-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with
Bhagwanpur P.S. Case No. 82 of 2019 registered for the
offences punishable under sections 341, 323, 498A, 504, 506/34
of the Indian Penal Code and to which subsequently Section
304B of the IPC was added.

As per allegation in the FIR, the daughter of the
informant was married to the son of the petitioner. It is alleged
that daughter of the informant was assaulted for not fulfilling
the demand of dowry. Subsequently she died and section 304B
of the IPC was added.

It is submitted by learned counsel for the petitioner
that the allegations, levelled against the petitioner in the FIR, are
false and concocted. It would be evident from the postmortem



report of the deceased, which has been brought on record as annexure-3 to the application that no external injury was found over any part of the body of the deceased and the cause of death in the opinion of the doctor was due to chronic debilitating disease, most likely being Pulmonary Tuberculosis. It is further submitted that mother-in-law of the deceased has been enlarged on anticipatory bail vide order dated 20.09.2019 passed in Cr. Misc. No. 44603 of 2019 and the petitioner, who is father-in-law of the deceased is in custody since 30.05.2019.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts as stated above, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Bhagwanpur P.S. Case No. 82 of 2019.

(Partha Sarthy, J)

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