

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18493 of 2020

Arising Out of PS. Case No.-721 Year-2019 Thana- DEHRI TOWN District- Rohtas

1. Gangu Chaudhary, aged about 30 years (Male), Son of Dayanand Chaudhary, Resident of Mohalla- Chaudhary Mohalla, Dehri, P.S.- Dehri Town, District- Rohtas.
2. Manoj Chaudhary @ Manoj Kumar Chaudhary, aged about 22 years (Male), Son of Dayanand Chaudhary, Resident of Mohalla- Chaudhary Mohalla, Dehri, P.S.- Dehri Town, District- Rohtas.
3. Dayanand Chaudhary, aged about 65 years, (Male), Son of Late Tulsi Chaudhary, Resident of Mohalla- Chaudhary Mohalla, Dehri, P.S.- Dehri Town, District- Rohtas.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Rajani Kant Singh, Advocate.
For the Opposite Party : Mr.Umeshanand Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-08-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading 'For Orders' under the orders of Hon'ble the Chief Justice.

Learned counsel for the petitioners seeks permission to withdraw the anticipatory bail application on behalf of petitioner no. 3, namely, Dayanand Chaudhary, as he has already been taken into judicial custody in connection with Dehri Town P.S. Case No. 721 of 2019, pending in the court of learned S.D.J.M., Dehri, Rohtas.



Permission is accorded.

Accordingly, anticipatory bail application of petitioner no. 3, namely, Dayanand Chaudhary, is dismissed as withdrawn.

Heard learned counsel for the petitioner nos. 1 and 2 and learned A.P.P. for the State.

The petitioner nos. 1 and 2 are apprehending their arrest in a case for the offence registered under Sections 304(B)/34 of the I.P.C.

The prosecution story, in brief, is that the accused persons including the petitioner nos. 1 and 2 killed the victim due to non-fulfilment of demand of dowry.

It has been submitted by learned counsel for the petitioner nos. 1 and 2 that they have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against them. They have falsely been implicated in the present case. They are brothers-in-law of the deceased. They are separate in mess and property from the husband of the deceased. They have got no concern with the alleged occurrence. The husband of the deceased is in custody.

On behalf of the learned counsel for the State, it has been submitted that the petitioner nos. 1 and 2 are named in the F.I.R/ complaint case.



Considering the facts and circumstances of the case and also the lockdown, the petitioner nos. 1 and 2 (except petitioner no. 3, Dayanand Chaudhary), in the event of arrest or surrender before the learned court below within a period of eight weeks from today, be released on anticipatory bail on their personal bond to the satisfaction of the learned S.D.J.M. Dehri, Rohtas, in connection with Dehri Town P.S. Case No. 721 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner nos. 1 and 2 (except petitioner no. 3, Dayanand Chaudhary) shall furnish bail bonds of Rs. 10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each within a period of seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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