

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 71404 of 2019

Arising Out of PS. Case No.-36 Year-2019 Thana- MAHKAR District- Gaya

CHANDAN CHOUDHARY Son of Upendra Choudhary Resident of Village-
Hasanpur Tola Balba Par, P.S.- Mahkar, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Chandra Pandey
For the Opposite Party/s : Ms Meena Singh, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

4 **05-03-2020** Heard learned counsel for the petitioner and the learned
APP for the State.

Petitioner apprehends arrest in connection with Mahkar
Police Station (for brevity, *PS*) Case No 36 of 2019 instituted
for the offence punishable under Section(s) 304B, 201/34 of
Indian Penal Code.

First information report is lodged by brother of the
deceased that the victim was being tortured for fulfillment of
dowry and that she has been killed by poisoning. Petitioner's
counsel submits that altogether 15 members of the petitioner's
family have been made accused. The same is indicative of the
false implication of all the family members. It is submitted that
in course of supervision also, the case has been found doubtful



and with regard to 11 out of the 15 accused persons, it has been held that case is not made out against them. Further submission is that there is no specific allegation attributed to the petitioner and that the husband of the victim is in jail custody. The petitioner, it is submitted, is a young person and related as *Devar* of the deceased

The learned APP for the State has opposed the prayer for anticipatory bail.

Considering the aforesaid facts, prayer of petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, before the Court below, within four (04) weeks from today, he shall be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Gaya in connection with Mahkar PS Case No 36 of 2019 subject to the conditions as laid down under Section 438 (2) of Criminal Procedure Code and also the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the



petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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