

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14467 of 2020

Arising Out of PS. Case No.-111 Year-2019 Thana- NOKHA District- Rohtas

CHANDRASHEKHAR CHAUDHARY @ CHANDRA SHEKHAR
CHAUDHARY Son of Ram Prasad Chaudhary Resident of Village- Sheopur,
P.S.- Nokha, District- Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh, Advocate
For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 24-03-2021 Heard Mr. Raghunandan Kumar Singh, learned
counsel for the petitioner and Mr. Anuj Kumar Shrivastava
learned Additional Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with Nokha
P.S. Case No. 111 of 2019 (Sessions Trial No. 06 of 2020)
registered for the offences punishable under Section 304-B/34
of the Indian Penal Code 1860.

The allegation as per the First Information Report is
that the petitioner along with other co-accused persons killed the
daughter of the informant by pressing her neck due to non-
fulfillment of demand of dowry.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case merely on the



basis of the fact that he is the husband of the deceased. Learned counsel further submits that allegation against the petitioner is general and omnibus in nature and the deceased has died during course of treatment in hospital.

Learned counsel for the State, on the other hand, submits that the petitioner is specifically named in the First Information Report and the allegation is that the deceased was killed by pressing her neck for want of dowry and from perusal of the postmortem report it would be evident that the cause of death is strangulation which corroborates the allegation made in the First Information Report. Learned counsel next submits that the allegation against the petitioner is under Section 304B of the Indian Penal Code and as per Section 113B of the Evidence Act, there is presumption against the accused persons and the petitioner has not given any reasonable justification regarding the death of the deceased in her matrimonial home.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the nature of allegation, I am not inclined to grant regular bail to the petitioner at this stage.

Accordingly, the prayer for bail of the petitioner



stands rejected.

However, petitioner may renew his prayer for bail
after one year if the trial does not show any progress.

(Anil Kumar Sinha, J)

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