

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30134 of 2021**

Arising Out of PS. Case No.-188 Year-2019 Thana- NOORSARAI District- Nalanda

FAKIRA CHAUHAN SON OF BIRAN CHAUHAN @ ATBARI
CHAUHAN R/O VILLAGE- DARAURA BELDARI, P.S.- NOORSARAI,
DISTRICT- NALANDA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad

For the Opposite Party/s : Mr. Raj Kishore Singh, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 12-08-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 307 and some other ancillary Sections of the Indian Penal Code.

As per the prosecution case, father, maternal uncle and brother of the informant came to her in-laws place for her Bidai. They had come on being called by her father-in-law. At the said time it is stated by the informant that her father-in-law asked her father that she would give in writing on a stamp paper that she would not file a complaint on going with him. On enquiry by her father, she disclosed that her father-in-law used to force himself upon her in absence of her husband. She was also beaten up. It is further alleged that altercation took place



between her father and father-in-law and her father and others were assaulted. It is alleged that her father-in-law along with 8-10 others took her father and assaulted him.

Learned counsel appearing for the petitioner submits that the allegations as levelled in the FIR are false and highly exaggerated. Minor altercation took place due to petty dispute. The allegations are general and omnibus in nature. Petitioner is father-in-law of the victim and is in custody since 17.02.2021 and charge sheet has already been submitted.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Noorsarai PS case No. 188/2019 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/ her absence on two consecutive dates without sufficient



reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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