

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34159 of 2020

Arising Out of PS. Case No.-273 Year-2019 Thana- MAKHDUMPUR District- Jehanabad

CHANDAN SINGH @ CHANDAN KUMAR Son of Surendra Singh
Resident of Village - Dhakani Bigha, P.S.- Makhdumpur, Distt.- Jehanabad.
... .. Petitioner

Versus

THE STATE OF BIHAR Opposite Party

Appearance :

For the Petitioner/s : Mr. Manoj Kumar
For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 20-01-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

This application for grant of regular bail arises out of
Makhdumpur P.S. Case No. 273 of 2019, registered for the
offence punishable under Sections 304(B)/34 of the Indian
Penal Code and Section 3/4 of Dowry Prohibition Act.

The petitioner is the husband of the deceased, who
is in custody since 05.07.2019. The marriage of the petitioner
with the deceased was allegedly solemnized nearly three years
before he died. There is allegation in the First Information
Report of demand of dowry to the tune of Rs. Five lakhs and
also torture meted out to the deceased.

Learned counsel appearing on behalf of the
petitioner, referring to the First Information Report, has
submitted that there is general and omnibus allegation against



all the family members of the petitioner of demand of dowry. Allegations of physical torture is also general in nature, he contends. He has further submitted that the deceased appears to have committed suicide and to add gravity to the accusation, demand of dowry has been incorporated in the written report, which is the basis for registration of the First Information Report. He has further argued that considering the nature of accusation there is no chance of the petitioner tampering with the evidence.

Considering the submissions, so advanced on behalf of the petitioner, and the fact that he is in custody since 05.07.2019 and charge-sheet has been submitted, this application is allowed.

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 the learned SDJM, Jehanabad, in Makhdumpur P.S. Case No. 273 of 2019.

(Chakradhari Sharan Singh, J)

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