

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35480 of 2020

Arising Out of PS. Case No.-72 Year-2019 Thana- KARAI PARSURAI District- Nalanda

Chandan Vishwakarma aged about 28 years (male) son of Jaylal Bishwakarma, resident of village-Gandhi Chowk Karaiparsurai, Police Station- Karaiparsuarai, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Mr. Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 22-01-2021 Heard Mr. Anil Kumar Singh, learned counsel for the petitioner and Mr. Akshay Lal Pandit, learned counsel appearing for the State.

Petitioner seeks regular bail in connection with Karaiparsuarai P.S. Case No. 72 of 2019 registered for the offence under Section 304 (B) / 34 of the I.P.C.

The allegation as per the First Information Report is that the daughter of the informant was married to the petitioner in the year 2015 and out of the wedlock two girl child had born. It has further been alleged that the petitioner and his family members started demanding dowry of Rs. 1 Lakh and due to non- fulfillment of the demand the petitioner along with others have killed the daughter of the informant by pressing her



neck.

Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case due to oblique motive. Learned counsel next submits that the fact of the matter is that the deceased committed suicide due to some scuffle between the deceased and the mother of the petitioner and the fact regarding suicide of the deceased was communicated to the informant by the brother of the petitioner, who is co-accused no. 4 in the First Information Report. Learned counsel next submits that from perusal of the post -mortem report it would be evident that the cause of death of the deceased is “asphyxia due to hanging”. Learned counsel next submits that petitioner is in custody since 25.11.2019 and he will co-operate in the trial, if released on bail.

Having regard to the submissions made by learned counsel for the parties and taking into consideration the materials available on record, the fact that charge sheet has already been submitted and petitioner remained in custody since 25.11.2019 , I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 10,000/-



(ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Hilsa, Nalanda / court concerned in connection with Karaiparsuarai P.S. Case No. 72 of 2019 on the following condition:-

(i) that the petitioner shall remain present on each and every date during the course of trial and in case of default on two consecutive dates on the part of the petitioner, his bail bond shall liable to be cancelled.

It is made clear that at the time of furnishing bail bond all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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