

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36179 of 2020

Arising Out of PS. Case No.-269 Year-2019 Thana- MAIRWAN District- Siwan

Krishna Chauhan Son of Sambhu Chauhan Resident of Village- Bishunpura,
Police Station- Mairwa, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Parasmani, Adv
For the Opposite Party/s : Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 22-02-2021 Heard learned counsel for the petitioner and learned APP for the State. Learned counsel for the petitioner has filed an undertaking to remove all defects pointed out by the Stamp Reporter as and when required. It is accordingly directed that all defects pointed out by the Stamp Reporter be removed within one month hereof.

2. The petitioner is in custody since 17.03.2020 in connection with Mairwa P.S. Case No. 269 of 2019 for the alleged offences under Section 304B/34 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated merely because he happens to be the brother-in-law of the deceased. It is submitted that the petitioner was residing at Delhi and there is no allegation of demand by the petitioner or any overt act alleged against him, rather it was a case of suicide. The petitioner claims clean antecedents.

4. Learned APP on the other hand opposes the prayer for bail inviting reference to para 3 of the case diary containing specific accusation of demand made by the accused persons including the petitioner. He also points out from the impugned



order that death resulted from “Asphyxia due to hanging”.

5. Having regard to the nature of accusations and gravity of offence alleged, this Court is not inclined to grant the privilege of bail to the petitioner. The bail petition stands dismissed.

6. Office shall follow-up to ensure that all defects are removed and compliance with the notices of this Court are made by the petitioner within the stipulated time provided in para 1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Vikash Jain, J)

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