

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40705 of 2020

Arising Out of PS. Case No.-2 Year-2020 Thana- KHIJARSARAI District- Gaya

Siya Sharan Choudhary @ Siyasharan Choudhari Son of Late Chandu Choudhary Resident of Village- Siswar (Beldari), Post- Musepur, Police Station- Khizersarai, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 24-02-2021 Heard learned counsel for the parties.

The petitioner seeks bail in Khizarsarai P.S. Case No. 02 of 2020 registered for the offence under Sections 304(B), 201/34 of the Indian Penal Code.

As per the prosecution case, the daughter of the informant was married with one Jagdish Choudhary (son of petitioner) in the year 2017 and since marriage, all the FIR named accused persons including this petitioner subjected her to cruelty and harassment for demand of dowry and on 01.01.2020, the informant received an information that his daughter has been murdered by the accused persons including this petitioner.

It is submitted on behalf of petitioner that petitioner is father-in-law of the deceased and there is general and omnibus allegation. It is further submitted that deceased and her husband



were living separately and petitioner has no concern with the marital affairs of deceased. Petitioner is an old-aged person and suffering from several disease. The husband of the deceased is already in custody. Petitioner is in custody since 16.05.2020. Chargesheet has already been submitted.

Considering the aforesaid facts and circumstances, the bail application of petitioner is allowed. Let the above named petitioner 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 learned Additional Chief Judicial Magistrate-IV, Gaya in connection with Khizarsarai P.S. Case No. 02 of 2020 on the following conditions:

“(1) Petitioner shall cooperate 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 absence on two consecutive dates without sufficient reason, his 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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