

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7905 of 2022

Arising Out of PS. Case No.-274 Year-2020 Thana- HISUWA District- Nawada

Raj Kumar Chauhan Son Of Late Govind Chauhan Resident Of Village-
Daulatpur, P.S. Hisua, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar, Advocate

For the Opposite Party/s : Mr.Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 13-12-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Hisua P.S. Case No. 274 of 2020 registered for
the alleged offences under Sections 304(B), 201 and 34 of the
Indian Penal Code.

As per prosecution case, the daughter of the informant
was married with the son of the petitioner. Allegation against the
petitioner is that he along with other co-accused persons have
been demanding Rs. 50,000/- and a motor-cycle from the
deceased who used to make complaint to the informant. On
17.08.2020, the informant received a phone call from his son-in-



law that his daughter had consumed poison and she died. The informant further alleged that his daughter was strangled to death and her dead body was disposed of.

Learned counsel for the petitioner submits that the petitioner is the father-in-law of the deceased and has been falsely implicated in this case. From the perusal of the FIR, it is clear that after death of the daughter-in-law of the petitioner, the son of the petitioner informed the father-in-law who came and participated in the last rites. It has been mentioned in the FIR that the daughter of the informant consumed poison and she died and only a case of unnatural death ought to have been lodged. The petitioner is in custody since 07.08.2021 and charge sheet has been submitted.

Learned APP opposes the submission made on behalf of the petitioner submitting that the daughter of the informant died an unnatural death and the petitioner and others burnt her dead body.

Perused the records.

Having regard to the facts and circumstances and submissions made on behalf of the parties and further considering the fact that the petitioner is the father-in-law of the deceased and there is only general allegation against him and



also considering the period of the custody along with the submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Hisua P.S. Case No. 274 of 2020, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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