

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14398 of 2022

Arising Out of PS. Case No.-205 Year-2020 Thana- RAJPUR District- Buxar

CHAMAN LAL CHAUDHARY, Son of Late Neharu Lal Chaudhary
Resident of Village - Rohini Bhan, P.S. - Rajpur, District - Buxar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogendra Kumar

For the Opposite Party/s : Mr. Anil Kumar

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 14-07-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with Rajpur
P.S. Case No. 205 of 2020, dated 31.08.2020, S. Tr. No.
110 of 2020, registered for the offences punishable under
Sections 304(B) and 34 of the I.P.C.

The prosecution story in brief is that the marriage
of the informant's daughter was solemnized with the
petitioner according to Hindu rituals. After some times, the
husband and parents-in-laws of the informant's daughter
started torturing her for dowry and ultimately they killed her.

The learned counsel for the petitioner submits that



the petitioner is innocent and has falsely been implicated in this case. He further points out that the case is registered under section 304(B) on account of death of his daughter. He further submits that she died of natural death and this case has been lodged against him only on account of misconception of facts. He further points out that the trial has already begun and informant/father of the deceased has been already examined, who has not supported the prosecution case because he has deposed in his deposition that her daughter died of natural death.

The petitioner is in custody since 01.09.2020.

It is also stated in paragraph no. 2 of the petition that the petitioner has not moved earlier before this Court for grant of anticipatory bail or regular bail.

It has further been stated that the petitioner has no criminal antecedent.

However, the learned APP for the State has opposed the prayer for bail.

Considering the statement of the informant, the petitioner, above-named, is directed to be released on bail



on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge, IX, Civil Court, Buxar in connection with Rajpur P.S. Case No. 205 of 2020 dated 31.08.2020, S.Tr. No. 110 of 2020 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, the learned court below shall cancel the bail bond of the



petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioner.

The application stands allowed accordingly.

The learned counsel for the petitioner is directed to remove all the defects pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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