

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52364 of 2021

Arising Out of PS. Case No.-160 Year-2020 Thana- NOORSARAI District- Nalanda

Chandan Chauhan @ Chandan Kumar Son Of Shri Vijay Chauhan R/O Vill.-
Charuai Beldari, P.S.- Noorsarai, District- Nalanda

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manohar Prasad Singh, Advocate

For the Opposite Party/s : Ms. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-02-2022 Heard learned counsel for the petitioner and Smt. Anita Kumari, learned A.P.P. for the State through virtual court proceedings.

The petitioner seeks bail in connection with Noorsarai P.S. Case No. 160 of 2020 giving rise to S.Tr. No. 236 of 2020 instituted for the offences under Sections 304(B) and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is in custody since 16.07.2020, is a person with clean antecedent and even charges have been framed.

Learned counsel for the petitioner submits that the informant alleges that his sister was married to the petitioner in the year 2017 and after marriage the petitioner along with other family members were demanding a motorcycle and non-fulfillment of which led to the assault. It is further alleged that



on 27.05.2020, the petitioner called and informed the informant that the deceased has committed suicide by hanging.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, the deceased committed suicide and the petitioner had informed the informant about the same based on which the present F.I.R. came to be instituted and as far as allegation of dowry is concerned, the same is false and concocted.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner and submits that even if it is presumed that the deceased committed suicide then also it was the petitioner who abetted it being husband or else no woman after marriage will commit suicide if she is happy in the family. It is further submitted that petitioner being the husband has responsibility towards his wife and even in law, the presumption for the present, is against the petitioner.

Considering the submissions made by the learned A.P.P. for the State, the Court, for the present, is not inclined to grant bail to the petitioner. His prayer for bail is thus rejected.

(Satyavrat Verma, J)

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