

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.47926 of 2022**

Arising Out of PS. Case No.-27 Year-2022 Thana- DULHIN BAZAR District- Patna

Rakesh Chaudhary S/o Sri Ishwar Dayal Chaudhary R/o village- Selhawri
Bag, P.S.- Dulhin Bazar, District- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 09-12-2022 Learned counsel for the petitioner will remove all the
defects as pointed out by office within two weeks from today.

Heard learned counsel for the petitioner and Mr. Jai
Narayan Thakur, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in
connection with Dulhin Bazar P.S. Case No. 27 of 2022
registered for the offences punishable under Section 304B,
201/34 of the Indian Penal Code. He is in custody since
07.02.2022 having no criminal antecedent.

As per the prosecution story, the informant has
alleged that the marriage of his daughter was solemnized about
six years ago with Rakesh Chaudhary. It is further alleged that
on 07.02.2022 the informant received information that his
daughter is ill and admitted at Patna for treatment. Thereafter, he



along with others reached at the matrimonial home of his daughter, but his daughter was not there in her matrimonial home, on asking from son-in-law and his Samadhi, they disclosed that his daughter had died at Patna and they cremated her.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case. Learned counsel submits that petitioner was working at Birla Jute Mill, Kolkata but he left his job and returned back to his native village. It is stated that some altercation has taken place between the deceased and her mother-in-law and in-laws due to some domestic work, thereafter the daughter of the informant consumed poison.

Mr. Jai Narayan Thakur, learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein the marriage between the petitioner and the deceased is said to be six years old and there is a definite statement of the informant that earlier everything was good between the parties, they had three children and as per the petitioner his wife consumed poison on some minor differences



in the family, charge-sheet has been filed under Section 306 I.P.C. and the petitioner is in custody since 07.02.2022 having no criminal antecedent, this Court directs release of the petitioner above-named on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of Mr. Vishudha Prakash, learned Judicial Magistrate - 1st Class, Danapur, District – Patna in connection with Dulhin Bazar P.S. Case No. 27 of 2022, subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

Certified copy of this order shall be made available only after removal of the defects.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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