

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51144 of 2022

Arising Out of PS. Case No.-100 Year-2021 Thana- AGIAON District- Bhojpur

CHANDAN KUMAR Son of Bhim Prasad R/V- Kapur Diyara, P.S- Barhara,
Dist- Bhojpur at present Vill and Po Garhani, P,S- Agion (Garhani) Distt.-
Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Advocate
For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 16-12-2022 The matter has been taken-up through video
conference.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

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

The petitioner seeks bail in connection with a case
registered for the offences punishable under Sections 304B, 201
and 34 of the Indian Penal Code.

The prosecution case, in short, is that the informant
married her daughter Puja Kumari to Chandan Kumar on
11.06.2021. After her marriage, her daughter was subjected to
cruelty at the hands of her in laws on account of dowry. Her



daughter had informed them of the same. On 08.07.2021, Bhim Prasad, father-in-law of the victim asked the informant to come to his village and when she came on 11.07.2021 around 8.30 am, she found the house locked and was informed by the neighbours that the petitioner and others had killed her daughter and concealed her body.

Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. As per the informant, the occurrence took place on 11.07.2021 and F.I.R. lodged on 16.07.2021 and there is delay of five days without there being any plausible explanation for such inordinate delay, which shows that F.I.R. was registered after due consultation. It is further submitted that there is no specific allegation of either demand of dowry or of harassment in connection with such demand have been levelled on the petitioner rather allegations against all the family members are of general, vague and omnibus in nature. Learned counsel for the petitioner further submits that the deceased had severe pain in her stomach thereafter, she was taken to the Government Hospital, where she died during the course of treatment and after informing the informant and family members, her last rites was performed in the presence of her family members. It is



further submitted by the learned counsel for the petitioner that another co-accused, namely, Usha Devi, Bhim Prasad and Kundan Kumar have been granted bail by a Co-ordinate Bench of this Court *vide* order dated 05.07.2022 passed in Criminal Miscellaneous No. 9714 of 2022. The petitioner is in custody since 02.09.2021, is a person with clean antecedent and charge-sheet has been submitted in this case.

Learned A.P.P for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) only with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-VIII, Bhojpur, Ara in connection with Sessions Trial No. 99 of 2022 arising out of Agiaon (G) P.S. Case No. 100 of 2021.

(Khatim Reza, J)

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