

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62884 of 2021

Arising Out of PS. Case No.-177 Year-2021 Thana- SIKANDRA District- Jamui

CHINTAMAN CHAUHAN @ CHINTAMANI CHAUHAN Son of Late
Balmiki Chauhan @ Late Mural Chuhan Resident of Village - Nawadih, P.S.-
Sikandra, Distt.- Jamui.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bharat Lal

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 26-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Sikandra
P.S. Case No. 177/2021 registered for the offences punishable
under Sections 304B/34 of the Indian Penal Code.

As per prosecution case, accusation against the
petitioner and others is that they committed murder of
informant's Nanad due to non-fulfillment of demand of dowry.

Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case. The petitioner is languishing in custody since 19.07.2021
and bears no criminal antecedent. The petitioner is father-in-law
of the deceased and he is living separately from the deceased.



There is no specific allegation of demand of dowry or torturing against the petitioner, save and except there is general and omnibus allegation against all. Charge sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, petitioner is living separately, argument advanced on behalf of both sides, charge sheet has already been submitted in this case and there is no likelihood of tampering with the prosecution evidence and keeping in view clean antecedent of petitioner and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Jamui in connection with Sikandra P.S. Case No. 177/2021, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.



(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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