

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12503 of 2023

Arising Out of PS. Case No.-28 Year-2022 Thana- JAMOBABAZAR District- Siwan

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Sunil Chaudhary Son of Late Shivji Chaudhary Resident of Village -
Bahadurpur, P.S.- Jamo Bazar, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raghav Prasad

For the Opposite Party/s : Mr.Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 04-10-2023 Heard learned counsel for the petitioner, learned counsel
for the informant and learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 304(B), 201 and 34 of the Indian Penal Code. Later on Section 302 of the I.P.C. was added.

As per allegation in the FIR, petitioner along with his family members has tortured in various ways to the daughter of the informant due to non-fulfillment of dowry demand and ultimately she was being killed by them.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is the husband of the deceased due to which he has falsely been implicated in this case. The F.I.R. has been lodged after the delay



of 11 days of the occurrence. During investigation, no consistent evidence has come against the petitioner in respect of commission of murder of his wife. There is no prior complain/information regarding torture, harassment and ill treatment made against the petitioner. It is further submitted that petitioner has also blessed with a male child from the wedlock with deceased. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 17.05.2022.

Learned APP appearing for the state and learned counsel for the informant have opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with S.Tr. No. 546 of 2022 arising out of Jamo Bazar P.S. Case No. 28 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VIII, Siwan.

(Sunil Kumar Panwar, J)

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