

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23018 of 2023

Arising Out of PS. Case No.-208 Year-2022 Thana- KUDRA District- Kaimur (Bhabua)

BHIM CHAUHAN @ BHIM CHOUDHARY Son of Ramishwar Chauhan @
Ishwar Chauhan Resident of Village - Amirtha, P.S.- Kudra, District - Kaimur.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabindra Kumar, Adv.

For the Opposite Party/s : Mr.Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 09-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Kudra P.S.
Case No. 208 of 2022 dated 06.08.2022 registered for the offence
under Sections 302 of the Indian Penal Code.

The daughter of the informant is subjected to assault
and torture on account of non-fulfillment of demand of dowry by
the petitioner and others and she has finally been done to death
for want of dowry.

Learned counsel appearing for the petitioner submits
that the petitioner, who is of clean antecedent, is innocent and
has falsely been implicated in this case merely on the ground that
the petitioner happens to be husband of the deceased. He further
submits that the allegation, as alleged in the F.I.R., is false and
fabricated and the petitioner has not committed any offence. He
further submits that the petitioner has never demanded any
dowry from the deceased and her family member nor assaulted



the deceased in any manner for want of dowry. The petitioner is rotting in judicial custody since 21.11.2022.

Learned A.P.P. for the State on the basis of material available on record and the case diary vehemently opposed the prayer for bail of the petitioner and submits that the petitioner happens to be the husband of the deceased and he is responsible of for the alleged death of the deceased. He further submits that the petitioner and his family members have disposed of the dead body of the deceased after committing her murder. He further submits that during course of investigation, the prosecution case has been supported by the witnesses which would be evident from the perusal of paragraph Nos. 3, 4, 5, 10, 11, 12 and 35 of the case diary.

Considering the facts and circumstances of the case and the rival submission of the parties and also the nature of offence, this Court is not inclined to grant the privilege of bail to the petitioner. Accordingly, the prayer for bail of this petitioner is rejected.

(Rajesh Kumar Verma, J)

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