

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28707 of 2023

Arising Out of PS. Case No.-453 Year-2022 Thana- GAYA KOTWALI District- Gaya

DEEPAK KUMAR @ DIPU CHAUDHARY Son of Durga Chaudhary
Resident of Mohalla - Mir Safayat Road, Gol Bagicha Rang Bahadur Road,
P.S.- Kotwali, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivendra Prasad, Advocate

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 19-07-2023

1. Heard learned counsel for the parties.

2. The petitioner in this application pray for bail apprehending his arrest in connection with Kotwali P.S. Case no.453 of 2022 registered for the offence punishable under sections 306 and 34 of the Indian Penal Code.

3. As per the prosecution case, it is stated by the informant that his daughter-in-law was seen in a compromising position with this petitioner by his son at 8 a.m. and on the same day at 9 p.m., his son committed suicide by hanging himself. As such, the F.I.R.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. He has neither any concern with the daughter-in-law of the informant



nor any allegation as levelled in the F.I.R. is correct. He has been falsely implicated in the case for oblique reasons. No offence under section 306 of the Indian Penal Code is made out against the petitioner and the petitioner has no criminal antecedent.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner in the F.I.R. together with the petitioner not having any criminal antecedent, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each in connection with Kotwali P.S. Case no.453 of 2022 to the satisfaction of the learned Chief Judicial Magistrate, Gaya, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Partha Sarthy, J)

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