

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50424 of 2023

Arising Out of PS. Case No.-267 Year-2022 Thana- BELAGANJ District- Gaya

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Krishna Chaudhary Son Of Baij Nath Chaudhary Resident Of Village-
Laxmipur, Ps- Belaganj, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Shyameshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 06-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 304(B) and 34 of the Indian Penal Code.

3. Allegation against the petitioner is that he committed murder of his wife due to non-fulfillment of dowry demand.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Petitioner is the husband of the deceased due to which he has falsely been implicated in this case. During investigation, no any independent witness has supported the prosecution case rather only hearsay evidence has supported the prosecution case. It is



further submitted from para-12 of this petition that after death, doctor conducted the postmortem of the deceased and during medical examination, absolutely no external, mechanical and anti mortem injury were found on the body of the deceased. The FIR has been lodged after the cremation of the deceased which creates doubt on the authenticity of the prosecution case. 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 27.07.2022.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. 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 Belaganj P.S. Case No. 267 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 A.C.J.M.-II, Gaya.

(Sunil Kumar Panwar, J)

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