

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57335 of 2023**

Arising Out of PS. Case No.-26 Year-2023 Thana- MANJHAGARH District- Gopalganj

VIKASH CHAUHAN @ VIKASH RAI SON OF SURESH CHAUHAN
VILL DEWAPUR AKIL TOLA PS AND PO MANJHAGARH DIST
GOPALGANJ BIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binoy Kumar Sinha 1

For the Opposite Party/s : Mr.Bharat Lal

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER**

2 31-08-2023 Heard the parties.

2. The petitioner is in Judicial custody in connection with Manjhagarh P.S. Case No. 26 of 2023, instituted under Sections 304(b), 201/34 of the I.P.C., lodged on 02.02.2023 by the informant, Sunita Devi.

3. As per the prosecution story, the allegation is that the informant's daughter was married to Rahul Chauhan, but was tortured for dowry and on the fateful day (02.02.2023), she was killed. Accordingly, the F.I.R.

4. It is the case of the petitioner that he is brother-in-law (Dewar) of the deceased, living separately in Gopalganj away from the house where he is having his livelihood. He has been implicated in this case only because belongs to the family



members.

5. Learned APP opposes the prayer for bail stating therein that he is the brother-in-law.

6. Considering the submission put forward by learned counsel for the petitioner, he is Dewar, is in custody since 13.03.2023 (paragraph 9 of the supplementary affidavit) and does not have criminal antecedent, this Court is inclined to grant him privilege of bail.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj, in connection with Manjhagarh P.S. Case No. 26 of 2023, subject to following conditions :

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself,

(iii) the petitioner shall appear before the concerned



police station every month for next one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds:

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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