

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53009 of 2023

Arising Out of PS. Case No.-89 Year-2022 Thana- BALIYA District- Begusarai

Chandan Tanti, Son of Harkhit Tanti, Resident of Village- Shadipur Diyara,
Ward No. 10, P.S.- Balia, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhanshu Bhushan, Advocate

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 19-08-2023 Heard Mr. Sudhanshu Bhushan, learned counsel

appearing on behalf of the petitioner and the learned APP for the

State.

2. The petitioner, who happens to be the brother-in-law (Bhaisur) of the deceased, is apprehending his arrest in connection with Balia P.S. Case No. 89 of 2022 registered for the offences punishable under Sections 302, 304(B), 498(A), 201, 120B/34 of the Indian Penal Code.

3. Allegedly the marriage of the daughter of the informant was solemnized with Raushan Tanti, five years ago. Soon after the marriage, she was subjected to torture on account of non-fulfillment of dowry. It is specifically alleged that on 30.03.2022, the informant received a call that there was an altercation between the deceased and her husband, whereupon



the informant suspected a foul play and she went to her Sasural, where she found that her daughter was done to death.

4. Learned counsel appearing on behalf of the petitioner submits that from the narration of the F.I.R. it is evident that specific allegation has been levelled against the husband, and his parents, however, only on account of the petitioner being the brother-in-law (Bhaisur) of the deceased, his name has been implicated in this case without there being any material whatsoever. He next submits that the petitioner has been separate in mess and business and he has no concern with the affairs of the deceased and her husband. He lastly submits that the petitioner undertakes that he will fully cooperate in the investigation/trial, apart from the fact that he is having fair antecedent.

5. On the other hand, learned APP for the State opposes the bail application and submits that the deceased was done to death within seven years of the marriage.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the petitioner is brother-in-law (Bhaisur) of the deceased, who has been residing separately and the specific allegation has been levelled against the husband and his parents, coupled with the fair



antecedent, let the petitioner, named above, in the event of his arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Balia P.S. Case No. 89 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with the further condition that one of the bailors shall be the own/close relative of the petitioner.

(Harish Kumar, J)

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