

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59086 of 2023

Arising Out of PS. Case No.-152 Year-2022 Thana- DHANSOI District- Buxar

JITENDRA CHAUHAN S/O FULAN CHAUHAN R/O VILLAGE-
BASUDEVPUR, P.S- DHANSOI, DISTT.- BUXAR (BIHAR).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 05-09-2023

Heard the parties.

2. The petitioner is an accused in connection with Sessions Trial No. 248 of 2023 arising out of Dhansoi P.S. Case No. 152 of 2022 registered for the offences under section 304(B) of the Indian Penal Code lodged on 03.11.2022 by the informant, Radhika Devi.

3. As per the prosecution story, the allegation is that the petitioner was married to the informant's daughter but was tortured for dowry and on the fateful day, came to know that she has committed suicide. Accordingly, reached the place, found the dead body followed by the FIR.

4. It is the case of the petitioner that it is an admitted fact that she has committed suicide, may be due to depression, he had no role to play in it, is used to work in Gujarat as a



labourer and as she wanted to go with him, due to financial condition, he was unable to take her to Gujarat, extreme step was taken by her.

5. Learned APP for the State, on the other hand, opposes the prayer for bail stating that he being the husband cannot exonerate himself from the responsibility.

6. Though unfortunate, a young lady left this world at an early age within a couple of years of her marriage, the fact remains that as per the allegation, she committed suicide. The FIR having been lodged, petitioner will be ultimately facing the trial, charge sheet has already been submitted, he is in custody since 09.12.2022 (as stated in paragraph 15 of the bail application) and do not have criminal antecedent, this Court is inclined to extend him privilege of bail.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousands only) with two sureties of like amount each to the satisfaction of the learned Sessions Judge-V, Buxar in connection with Session Case No. 248 of 2023, C.I.S. No. 248 of 2023 arising out of Dhansoi P.S. Case No. 152 of 2022, subject to the 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 fortnight for next six months 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 his 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.

8. With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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