

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64190 of 2023**

Arising Out of PS. Case No.-258 Year-2023 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

Gunjan Kumar Son Of Chandra Shekhar Singh Resident Of Mohalla- Veer
Kunwar Singh Colony Road No 5 Gaya Ps Magadh Medical District Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate

For the Opposite Party/s : Mr. Bharat Lal, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 11-10-2023

1. Heard learned counsel for the parties.

2. The petitioner has filed the instant application for grant of regular bail in connection with Magadh Medical P.S. Case no. 258 of 2023 registered under section 304B and 34 of the Indian Penal Code.

3. As per the prosecution case, the daughter of the informant was married to the elder brother of the petitioner herein but she was mentally and physically tortured by the accused persons. The informant states that he received information about his daughter having been done to death. It is stated that he is convinced that the accused persons strangled her.

4. It is submitted by learned counsel for the petitioner



that the allegation as levelled in the F.I.R. are false and concocted. The petitioner is the *dewar* (brother-in-law) of the deceased. The post-mortem report (Annexure-2) does not support the prosecution case wherein the cause of death is said to be by hanging. The petitioner has no criminal antecedent and is in custody since 13.6.2023. Charge-sheet has been submitted in the case.

5. Learned counsel for the petitioner produces certified copy of the charge-sheet no. 194 of 2023 dated 31.8.2023 to show that the same has been submitted under section 306 and 34 of the Indian Penal Code against this petitioner.

6. The application for bail is opposed by learned A.P.P. for the State.

7. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the petitioner being *dewar* (brother-in-law) of the deceased, his having remained in custody since 13.6.2023 and charge-sheet having been submitted under section 306 and 34 of the Indian Penal Code, the Court directs the petitioner to be enlarged on bail in connection with Magadh Medical P.S. Case no. 258 of 2023 on furnishing bail bond of Rs.10,000/ (Rupees Ten



Thousand) with two sureties of the like amount each to the
satisfaction of the learned Chief Judicial Magistrate, Gaya.

(Partha Sarthy, J)

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