

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64565 of 2023**

Arising Out of PS. Case No.-290 Year-2022 Thana- KAKO District- Jehanabad

Chandan Kumar S/O Awadhesh Yadav @ Awadhesh Kumar R/O Village-
Aulia Islamchak, P.S- Kako, Distt.- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER**

3 06-12-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Kako P.S. Case No. 290 of 2022, lodged on 07.12.2022, under
Section 304B/34 of the Indian Penal Code and Sections 3/4 of
the D.P. Act.

3. As per the prosecution, FIR has been lodged against
six named accused persons including the present petitioner. The
allegation against the petitioner in the FIR is that there was
demand of dowry for motorcycle was there against the daughter
of the informant about which the deceased used to inform in this
regard to her father and it has been alleged that it is due to this
reason the accused persons including the petitioner had killed
the daughter of the informant.



4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He submits that the petitioner is husband and the family of the petitioner had informed to the informant about such occurrence and it is not the case of murder rather it is case of suicide. Counsel submits that the informant realized things and filed a petition before the S.D.J.M. that he is not interested to pursue the case.

5. Vide order dated 12.10.2023 case diary has been called for. Counsel submits that charge sheet has already been filed in this case and petitioner is ready to fulfill all condition whatsoever shall be imposed. Counsel also submits that there is three year old baby of the petitioner and deceased, to look after the said baby it is necessary that petition may be released on bail. Counsel submits that antecedent of the petitioner is clean and he is in custody since 20.07.2023.

6. Learned counsel for the State opposes the prayer for bail and submits that in the case-diary post mortem report is attached and in the post mortem report the external injury has been found on the neck by which it becomes clear that the external injury on the neck cannot be caused by suicide. The opinion of the doctor has also not been given by the doctor and



it has been intimated that the final opinion has been submitted after examination of viscera report.

7. In this background, I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner is hereby rejected.

(Dr. Anshuman, J)

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