

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72456 of 2023

Arising Out of PS. Case No.-226 Year-2022 Thana- ASHTHAWAN District- Nalanda

1. Dashrath Chauhan @ Dasarath Chauhan S/O Late Chhotan Chauhan R/O Village- Sone Sikta, P.S.- Bind, Dist.- Nalanda
2. Shivarti Devi Wife Of Dashrath Chauhan @ Dasarath Chauhan R/O Village- Sone Sikta, P.S.- Bind, Dist.- Nalanda

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 10-11-2023 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioners and learned counsel for the informant as well as learned Additional Public Prosecutor for the State.

3. The petitioners are apprehending their arrest in a case in connection with Asthawan P.S. Case No. 226 of 2022 dated 13.08.2022 registered for the offence/s punishable u/ss 498A and 304B read with section 34 of the Indian Penal Code and ¾ of the DP Act.

4. As per the prosecution case, the informant's



daughter committed suicide on account of torture meted out by the petitioner's side due to non-fulfillment of demand of Rs. 3,00,000/- and a motorcycle as dowry.

5. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. The petitioner no. 1 is the father-in-law and the petitioner no. 2 is the mother-in-law of the deceased. The petitioners neither demanded any dowry nor tortured the deceased. There is general and omnibus allegation against the petitioners. Similarly situated co-accused has already been granted bail by the co-ordinate bench of this court vide order dated 19.06.2023 passed in Cr. Misc. No. 11516 of 2023. The petitioners have no criminal antecedent as stated at para 3 of the bail petition.

6. Learned counsel for the informant as well as learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioners. It is submitted that the petitioners used to torture the deceased on account of dowry.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) each with two sureties of the like amount each



to the satisfaction of the learned court concerned, Nalanda at Bihar Sharif in connection with Asthawan P.S. Case No. 226 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

9. The application stands allowed.

(Chandra Prakash Singh, J)

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