

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69252 of 2022**

Arising Out of PS. Case No.-403 Year-2021 Thana- PAKARIBARAW District- Nawada

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Dinesh Chauhan Son Of Jay Prakash Chauhan R/V- Bariyarpur, P.S-
Pakribarawan, Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Birendra Kumar
For the Opposite Party/s : Mr.Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 18-04-2023 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a

case registered for the offences punishable under

Sections 498(A), 302, 201/34 of the Indian Penal Code.

The accusation is of killing the daughter of the

informant by her in-laws family members including the

petitioner.

It is submitted by learned counsel for the

petitioner that petitioner is innocent and he has falsely



been implicated in this case. The petitioner is husband of the deceased. There is no prior complaint of misbehavior, harassment and assaulting to the deceased. There is general and omnibus allegation against the petitioner. No specific overt act has been alleged against the petitioner. There is no eye witness to the alleged occurrence and except suspicion, there is no direct and consistent material evidence against the petitioner. The victim died due to drowning in the well which is also proved by the police because the dead body was found in the well. As per F.I.R, the marriage took place nine years prior to the occurrence. The postmortem report suggests that cause of death was *asphyxia* due to drowning which does not corroborate with the prosecution case. The petitioner is languishing in custody since 12.08.2022. A statement has been made in para 3 of this petition that petitioner has no criminal antecedent.

In contra, learned A.P.P. appearing on behalf of



the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Nawada in connection with Pakribarawan P.S. Case No. 403 of 2021.

(Sunil Kumar Panwar, J)

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