

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74003 of 2023

Arising Out of PS. Case No.-73 Year-2022 Thana- ARARIA District- Araria

Chhotu Singh @ Chhotu Kumar Singh @ Chhotu Kr. Singh, Son of
Maheshwar Singh, Resident of Village- Bangama Ward No-11, P.O.-
Bangama, P.S.- Bangama, District- Araria, Bihar-854312

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Ravish, Advocate
Mr. Kashyap Kaushal, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 29-11-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Araria P.S. Case no. 73 of 2022, registered under sections 304B and 34 of the Indian Penal Code.

3. As per the prosecution case, the daughter of the informant who was married to the petitioner herein was tortured for non-fulfillment of the demand of dowry to the tune of Rs.50,000/-, motorcycle besides other articles as mentioned in the FIR. She was ultimately done to death.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case only for the reason that he happens to be the husband of the deceased.



Though the FIR was registered under section 304B of the Indian Penal Code however the allegations were not substantiated in course of investigation and as would be evident from the order of the learned trial Court, charge-sheet was submitted under section 306 of the Indian Penal Code. The petitioner is in custody since 15.5.2023 and has no criminal antecedent.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation in the FIR together with the petitioner being the husband of the deceased, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

7. However, taking into consideration the fact that the charge-sheet has been submitted against the petitioner under section 306 of the Indian Penal Code, liberty is granted to the petitioner to renew his prayer for bail after framing of charge.

(Partha Sarthy, J)

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