

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2920 of 2023

Arising Out of PS. Case No.-263 Year-2022 Thana- NAANPUR District- Sitamarhi

CHANDAN KUMAR S/o Vinod Mishra Resident Of - Janipur, Police
Station- Nanpur, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashhar Mustafa

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 14-03-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned counsel for the petitioner prayed to make
correction in the para-3 of the bail petition in the course of the
day.

Permission is granted.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections
304(B)/201 and Section 34 of the Indian Penal Code.

As per prosecution case, the informant alleged that
her daughter was being subjected to cruelty by the petitioner and
other accused persons due to non-fulfillment of demand of
dowry and ultimately committed her murder and disappeared
her dead body.



Learned counsel for the petitioner submits that no such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the petitioner has no relation whatsoever with the in-laws family of the deceased. He further submits that the petitioner was out of station on the date of occurrence, he had left with his wife for Chattisgarh to accompany his wife for her examination, the copies of the tickets and examination details are annexed as Annexure-3 series to this bail application. Petitioner has got six criminal antecedents as mentioned in para-3 of this application.

Learned APP for the State opposes prayer for bail.

Considering the facts and circumstances of the case and the fact that the petitioner does not belong to the in-laws of the deceased, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Nanpur P.S. Case



No. 236 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., subject to the further conditions.

(1) One of the bailors will be their own blood relative, preferably, father, mother, brother, sister and/or his wife.

(2) The petitioners shall not indulge themselves in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjani Kumar Sharan, J)

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