

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19653 of 2024

Arising Out of PS. Case No.-237 Year-2023 Thana- TARIYANI CHOWK District- Sheohar

Chandan Kumar @ Chandan Ray S/o Late Kishun Ray R/o vill - Param
Basant, P.S. - Tariyani, Distt. - Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Shanker Singh, Advocate.

For the Opposite Party/s : Mr. Lalan Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 10-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Tariyani P.S. Case No. 237 of 2023, registered on 02.10.2023 for the alleged offence under Sections 304(B) and 34 of the Indian Penal Code.

3. As per prosecution case, the daughter of the informant was killed within six months of her marriage in her matrimonial home and the petitioner is her husband.

4. Learned counsel for the petitioner submits that during the relevant period petitioner was not at his home and he had been working in Punjab. As the deceased was insisting that she be allowed to live with the husband and her demand was not accepted she committed suicide. Post-mortem was conducted

and cremation was performed in in the presence of informant. Considering all these facts other co-accused persons, who were present during the relevant period in the house, namely the mother, brother and sister of the petitioner, respectively were granted anticipatory bail by this Court. The petitioner is in custody since 28.12.2023. A compromise petition has also been filed by the informant retracting his allegations.

5. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that petitioner is husband and there is allegation of causing dowry death of the daughter of the informant.

6. Having regard to the facts and circumstances of the case and submissions made on behalf of the parties and considering the fact that petitioner is stated to have been residing outside and further considering the subsequent development in the case and also the period of custody of the petitioner, the petitioner above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Sheohar in connection with Tariyani P.S. Case No. 237 of 2023, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the

following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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