

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.20827 of 2024**

Arising Out of PS. Case No.-301 Year-2023 Thana- ASHTHAWAN District- Nalanda

Suresh Chaudhary S/o Sajo Chaudhary R/o vill - Asthawan, P.S. - Asthawan,  
Distt. - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Raj Kishor Prasad, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

3      07-05-2024      Heard learned counsel for the petitioner and learned APP  
for the State and perused the case diary.

2.      The petitioner seeks bail in connection with  
Asthawan P.S. Case No. 301 of 2023 instituted for the offence  
under Sections 302 & 34 of the Indian Penal Code.

3.      Prosecution case in short is that daughter of the  
informant was done to death at her matrimonial house.

4.      It has been submitted on behalf of the petitioner  
that the petitioner is in custody since 24-11-2023. Petitioner is a  
man of clean antecedent.

5.      It has been further submitted by the petitioner's  
counsel that petitioner has been falsely implicated in the present  
case. Petitioner is the husband of the deceased. It is submitted



that there is general and omnibus allegation against the petitioner. It is submitted that there is no eye witness to the occurrence. Referring to the postmortem report, it is submitted that doctor has opined the cause of death is due to asphyxia due to hanging. It is lastly submitted that police after investigation has submitted that charge sheet under Section 302, 304B & 34 of the IPC.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that informant and witness have supported the prosecution case, which is mentioned in Paragraph No. 3, 7, 8, 22, 23, 24, 25, 26 & 27 of the case diary.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, taking into account the postmortem report and clean antecedent of the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner 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 Court below/concerned Court in connection with Asthawan P.S. Case No. 301 of 2023, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

**(Rudra Prakash Mishra, J)**

Raj Kishore/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

