

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26708 of 2024

Arising Out of PS. Case No.-332 Year-2023 Thana- KASHICHAK District- Nawada

Chandan Yadav son of Late Hari Yadav Village- Bojhwan Ps- Kashichak Dist-
Nawada

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar, Advocate

For the Opposite Party/s : Mr.Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 26-07-2024 Heard the parties.

2. The petitioner is in judicial custody in connection with Kashichak P.S. Case No. 332 of 2023 for the offence punishable under Sections 304(B), 34 of the Indian Penal Code lodged on 26.12.2023 by the informant, Dilip Yadav.

3. As per the prosecution story, the informant alleged that the victim-lady was married to this petitioner but was tortured for dowry and later came to notice that on 14.03.2023, she has committed suicide by hanging. Accordingly, the FIR

4. Learned counsel for the petitioner submits that the lady was of short temperament and due to minor issue, she committed suicide. Being the husband, he has been implicated and is in custody since 31.12.2023 (para-10 of the petition).

5. Learned APP opposes the prayer stating that he is



the husband.

6. Though, he is the husband, as per the post-mortem report which has been made available pursuant to the last order passed by the coordinate bench on 16.4.2024, the cause of death has been recorded as asphyxia due to hanging.

7. In that background, the FIR lodged, the petitioner will face the trial, charge-sheet has been submitted, he has no criminal antecedent and is in custody since 31.12.2023, this Court is inclined to extend him the privilege of bail with conditions.

6. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M.-Vith, Nawada, in connection with Kashichak P.S. Case No. 332 of 2023 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;



(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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