

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30860 of 2024

Arising Out of PS. Case No.-360 Year-2023 Thana- RAJAON District- Banka

Chandra Shekhar Das @ Chandra Shekhar Kumar S/o Kailash Das R/o vill -
Balthara, P.s - Nawada Bazar, Distt. - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 23-08-2024 Heard Mr. Sanjeev Kumar, learned counsel for the
petitioner, and Mr. Satyendra Narayan Singh, learned Additional
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
24.02.2024 in connection with Rajoun (Nawada O.P.) P.S. Case
No. 360 of 2023, F.I.R. dated 20.07.2023 for the offences
punishable under Sections 328, 302 and 120B of the Indian
Penal Code.

3. According to prosecution case, due to demand of
dowry, in-laws of the victim started assaulting her and due to
this pressure, the victim consumed the poison and committed
suicide.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in the present case merely
on the ground that the petitioner is the husband of the deceased.



He further submits that from perusal of the F.I.R, it appears that the deceased had committed suicide herself by consuming poison. He further submits that the postmortem report of the deceased suggests that the doctor has not found any external injury on the person of deceased although the opinion is preserved till report of F.S.L is received and the F.S.L. report of the victim suggest that she has consumed poison. He further submits that during the pendency of the bail petition, the trial has taken and two witnesses have been examined, one is mother and the another is father of the deceased and both have become hostile. The petitioner is in custody since 24.02.2024.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is the husband of the deceased and apart from that the petitioner carries one criminal antecedent other than the present one but fairly submits on the basis of Paragraph 3 of the bail petition that the petitioner is on bail in the said matter.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief



Judicial Magistrate, Banka in connection with Rajoun (Nawada O.P.) P.S. Case No. 360 of 2023, subject to the following conditions:-

- i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.
- ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.
- iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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