

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37629 of 2024

Arising Out of PS. Case No.-614 Year-2023 Thana- BIRAUL District- Darbhanga

Chandan Chaudhary @ Chandan Kumar Choudhary Son Of Dayanand
Chaudhary Village- Pakhram, Ps- Biraul, Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

3 06-09-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Biraul P.S. Case No. 614 of 2023 dated 23-12-2023, instituted for the offence punishable under Sections 302, 304(B) and 34 of the Indian Penal Code.

3. The prosecution case, in short, is that the daughter of the informant was married to the petitioner, namely, Chandan Chaudhary and one child was born out of the wedlock. The further allegation is that her daughter was killed by the accused persons, including the petitioner by administering poison.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has been falsely implicated in this case. It is further submitted that petitioner is the husband of the



deceased. It is further submitted that the deceased was suffering from heart disease for which treatment was going on in the Heart Hospital, Patna. It is next submitted that petitioner works at Bombay for his livelihood from where he has maintained his wife although the only son, who is aged about 10 years, was residing with the petitioner. It is apparent from the statement recorded under Section 161 Cr.P.C. that petitioner was not present at the time of occurrence. It is submitted that during investigation, independent witness has specifically stated that the deceased had committed suicide, and as such, the viscera of the deceased was preserved but till date viscera report has not been submitted. No external injury has been found on the body of the deceased. Lastly, it is submitted that the petitioner has one criminal case against him.

5. Learned APP for the State has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Biraul P.S. Case No. 614 of 2023, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with



two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Biraul, District- Darbhanga, or appropriate Court below, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

Sankalp/-

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