

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47687 of 2024

Arising Out of PS. Case No.-251 Year-2023 Thana- SILAO District- Nalanda

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KAMLESH CHAUDHARY SON OF RAVINDRA CHAUDHARY
VILLAGE- BHUI, P.S.- SILAO, DISTT.- NALANDA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra

For the Opposite Party/s : Mr. Umesh Lal Verma

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

4 22-11-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with
Silao P.S. Case No.251 of 2023 registered for the offence under
Sections 304(b)/34 of the Indian Penal Code.

3. Allegation against the petitioner is to have
committed murder of the daughter of the informant due to non-
fulfillment of demand of dowry.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner has falsely been
implicated in the present case. It is submitted that petitioner is
husband of the deceased and there is general and omnibus
allegation has been levelled against this petitioner. It is



submitted that the deceased was living separate by mess. It is submitted that similarly situated co-accused persons, namely, Ravindra Chaudhary and Rintu Devi @ Mintu Devi have already been granted bail on 09.04.2024 vide Cr. Misc. No.25248 of 2024. It is further submitted that petitioner is a man of clean antecedent and he is in custody since 07.10.2023.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. In view of the submissions, as made above and as it appears that within four years of marriage, the death of deceased occurred in suspected condition and from perusal of postmortem report that cause of death is Asphyxia due to hanging and as there is demand of dowry of Rs. 2,00,000/- by the petitioner and other accused persons soon before the death of the deceased and as it appears from perusal of report of learned trial that the progress of trial is going on before the learned trial court and as petitioner is husband of the deceased and it cannot be a ground for prayer of bail in law that others have already granted bail as similarly situated co-accused persons, who have granted bail by this Court who are father-in-law and mother-in-law of the deceased, this Court is not inclined to grant bail to the petitioner, at present.



7. Accordingly, the prayer of bail of the
petitioner is rejected herewith.

(Ramesh Chand Malviya, J)

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