

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52666 of 2024

Arising Out of PS. Case No.-204 Year-2022 Thana- SINGHESHWAR District- Madhepura

Fulchand Chaupal @ Fulchand Kumar Chaupal, aged about 28 years, Sex- Male, Son of Kari Das, Resident of Village- Sirtola Manhara Sukhasan, Ward No. 03, P.S- Singheshwar, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Uday Chand Prasad, Advocate Mr. Manoj Kumar, Advocate Ms. Pooja Prasad, Advocate
For the Opposite Party/s	:	Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 20-07-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Singheshwar P.S. Case No. 204 of 2022 instituted for the offences punishable under Sections 341, 323, 328, 302 / 34 of the Indian Penal Code.

3. As per allegation in the FIR, all the accused persons including the petitioner strangled the daughter of the informant and administered poison due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submits that petitioner is innocent has committed no offence and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He



further submits that there is no eye witness of the alleged occurrence. Petitioner is the husband of the deceased and has no criminal antecedent as stated in para 3 of the petition.

5. Learned APP for the State vehemently opposed the prayer for bail of the petitioner.

6. From perusal of the F.I.R., impugned order dated 28.05.2024, it appears that no external injury has been found on the dead body of the deceased and opinion of the Doctor regarding cause of death could not be ascertained as mentioned in the postmortem report. Similarly situated co-accused person namely, Rekha Devi has been granted anticipatory bail by this Court in Cr. Misc. No. 17749 of 2024 vide order dated 15.07.2024, so considering all these aspects, let the above named petitioner be released on bail, in the event of his arrest or surrender before the Court below within six weeks from today, upon furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhepura in connection with Singheshwar P.S. Case No. 204 of 2022, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Ramesh Chand Malviya, J)

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