

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67557 of 2024

Arising Out of PS. Case No.-105 Year-2022 Thana- BODHGAYA District- Gaya

Chandan Kumar S/O Shiv Nandan Mahto R/O Village- Bataspur, P.S-
Bodhgaya, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivendra Prasad

For the Opposite Party/s : Mr.Rita Verma

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 18-10-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Bodhgaya P.S Case No. 105 of 2022 dated 23.02.2022 registered for the offence punishable u/s 304B read with section 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have committed murder of the daughter of the informant due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is the husband of the deceased. The petitioner neither demanded any dowry nor tortured the deceased. It is



further submitted that the petitioner has no concern with the alleged offence. It is further submitted that from the perusal of the para no. 137 of the case diary, the mobile number 8920322245 is registered in the name of the co-accused, Amit Kumar. As per para 87, 88 and 89, there was extra marital love affair between the co-accused Amit Kumar and the deceased (Rinki Devi) who used to talk with him. The said Rinki Devi (deceased) committed suicide by hanging due to dispute with the co-accused Amit Kumar which is apparent from the C.D.R. of the mobiles numbers of the deceased and the co-accused Amit Kumar. Further, from perusal of the para 80 of the case diary, it transpires that the co-accused Amit Kumar threatened and abused the deceased. There were several chattings between the co-accused and the deceased. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 08.05.2024. The bail application of the co-accused Amit Kumar has already been rejected by this court vide order dated 03.10.2024 passed in Cr. Misc. No. 58263 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond



of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Gaya in connection with Bodh Gaya P.S. Case No. 105 of 2022, with the following condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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