

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80014 of 2023

Arising Out of PS. Case No.-384 Year-2023 Thana- BARACHATTI District- Gaya

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Bhabheshan Choudhary @ Bhibhisan Choudhary, Male, aged about 30 years,
Son of Munna Choudhary, Resident of Village - Hariharpur, P.S. - Bodh Gaya,
District – Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Y.C. Verma, Sr. Advocate and Mr. Ashok
Kumar, Advocate

For the Opposite Party : Mr. Anant Kumar 1, A.P.P.

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

ORAL ORDER

5 08-05-2024 This matter has been listed under the heading ‘For
orders (on office notes)’.

2. Heard learned senior counsel for the petitioner and
learned A.P.P. for the State.

3. The petitioner seeks bail in connection with
Barachatti (Mohanpur) P.S. Case No. 384 of 2023 dated
22.04.2023 registered for the offences punishable under
Sections 328 and 304B/34 of the I.P.C.

4. As per the prosecution case, the petitioner and the
co-accused are alleged to have murdered the daughter of the
informant due to non-fulfilment of demand of dowry.

5. Learned senior counsel for the petitioner has



submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner has not tortured the informant's daughter. The petitioner is the brother-in-law (Nandoshi) of the deceased. He has no concern with the alleged offence. The petitioner is separate in mess and property from the husband of the deceased. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 27.07.2023.

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

7. 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 A.C.J.M.-II, Sherghati, Gaya, in connection with Barachatti (Mohanpur) P.S. Case No. 384 of 2023.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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