

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1992 of 2024

Arising Out of PS. Case No.-274 Year-2020 Thana- HISUWA District- Nawada

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Santosh Chauhan @ Santosh Kumar S/O- Raj Kumar Chauhan, Resident of
Village – Daulatpur, Police Station – Hisua, District – Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amarnath Singh, Advocate
For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 26-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Hisua P.S. Case No. 274 of 2020, registered on 17.08.2020 for the alleged offences under Sections 304B, 201/34 of the Indian Penal Code.

3. As per prosecution case, the petitioner is husband of the daughter of the informant and allegation against him is that of causing dowry death of the daughter of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The allegation against the petitioner is not believable. The daughter of the informant committed suicide by consuming poison and this fact is apparent from the FIR that the petitioner



himself informed the informant about death of his daughter by consuming poison. The allegation of strangulating and disposing of the dead body is not correct as the informant did not object to the cremation. There is no prior complaint of any dowry demand or torture meted out for the said demand. In fact, the petitioner or his parents never demanded any dowry either from the deceased or the informant. The allegation is non-specific and it is general and vague against the petitioner and other co-accused persons. Neither the petitioner nor his parents were present at the place of occurrence as they were working at brick kiln. Co-accused Ram Kumar Chauhan has been granted bail vide order dated 13.12.2022 passed in Cr. Misc. No. 7905 of 2022. Petitioner is in custody since 01.07.2023 and charge sheet has been submitted. The petitioner has got no criminal antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the possibility that the daughter of the informant consumed poison as it appears from the FIR and further considering the submission of charge sheet and period of custody of the petitioner, the petitioner above named is directed to be released



on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. VI, Nawada/concerned Court in connection with Hisua P.S. Case No. 274 of 2020, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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