

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28097 of 2024

Arising Out of PS. Case No.-178 Year-2023 Thana- CHAKAND District- Gaya

Chandan Kumar son of Hardeo Yadav Village- Dhakain Ps- Chakand Dist-
Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate

For the Opposite Party/s : Ms. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

7 20-02-2025 Heard Mr. Anuj Kumar, learned counsel for the
petitioner and Ms. Sangeeta Sharma, learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 304B and 34 of the Indian Penal Code.

3. The case of the prosecution is that the daughter of the informant was married with petitioner in the year 2020. It is further stated that she was subjected to cruelty on account of non-fulfillment of dowry demand of bike. It is also alleged that she has been administered poison due to which she died. On the date of the occurrence, the informant received information from the villager that his the in-laws have administered poison to the daughter of the informant and she admitted in Gaya medical hospital.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. From the perusal of the diary, it is clear that the witnesses have stated that the deceased used to compel her husband to earn something and for that they have some time hot talks which is just regular wear and tear of the married life. Witness has also stated that the deceased has consumed some poison which is mentioned in para-10 of the diary. From perusal of the postmortem report, it transpires that the doctor has found frothing present in mouth bruise discolouration of lips. The learned counsel for the petitioner is submitted that the real fact is that the deceased has consumed something and she was rushed to medical hospital where she died. Viscera was preserved and it was sent for FSL. From perusal of the viscera report, it transpires that no metallic alkaloidal, glycosidal, pesticidal and volatile poison could be detected in the contents of glass jar it means that the cause of death of the deceased is not poisoning and she would not having such ante-mortem injury which could cause death. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 18.10.2023.



5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Chakand P.S. Case No. 178 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned JCM, Gaya/ concerned court.

(Ashok Kumar Pandey, J)

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