

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77919 of 2024

Arising Out of PS. Case No.-31 Year-2024 Thana- AURAI District- Muzaffarpur

Chandan Gupta @ Chandan Kumar Gupta Son of Ramnath Gupta Resident of
Village- Rajkhand, PS Aurai, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Kumar, Adv.

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 22-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Aurai P.S. Case No. 31 of 2024, registered on 19.02.2024, for the alleged offences under Sections 498(A), 302 of the Indian Penal Code.

03. As per prosecution case, daughter of the informant was married with the petitioner in the year 2010 and out of their wedlock, three children were born. The allegation against the petitioner is that he used to demand money and when his demand was not fulfilled, the daughter of the informant was assaulted and ultimately, she was killed.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. The petitioner never demanded any money and never tortured the victim. The deceased was under depression and she committed suicide. The postmortem report also shows the death was due to asphyxia as a result of ante-mortem hanging. Except suspicion, there is nothing against the petitioner. Moreover, the demand of money after so many years of marriage is not believable and there are three children to the petitioner from this marriage. The petitioner is in custody since 12.03.2024 and charge-sheet has been submitted. The petitioner has got no criminal history.

05. Learned APP for the State opposes the prayer for bail.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the possibility of the informant committing suicide and also considering the period of custody of the petitioner and his clean antecedent along with submission of charge-sheet, 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 Additional Sessions Judge-V, Muzaffarpur/court concerned in connection with Aurai P.S. Case No. 31 of 2024, subject to the conditions



mentioned in Section 437(3) of the Cr.P.C. and 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 bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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