

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87376 of 2024

Arising Out of PS. Case No.-90 Year-2023 Thana- CHAORI District- Bhojpur

Chandan Chaudhary @ Chandan Bind Son of Late Wakil Chaudhary Resident
of Village - Babubandh, Police Station - Chauri, District – Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Narendra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 04-04-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks regular bail who is in custody since
11.05.2024 in connection with Chauri P.S. Case No. 90 of 2023,
FIR dated 16.09.2023, registered for the offences punishable
under Sections 304(B) and 34 of the Indian Penal Code.

3. The prosecution case, as per the First Information
Report, is that marriage of the informant's daughter was
solemnized with the petitioner in the year 2019. After the
marriage, the petitioner along with other family members started
demanding motorcycle and other valuables as dowry and also
threatened the informant's daughter that if demand could not be
fulfilled she would be killed. On 15.09.2023, in the evening, the
informant's daughter was killed by hanging.



4. Learned counsel for the petitioner submits that petitioner is the husband of the deceased and has not committed any offence in the manner alleged. The deceased has committed suicide due to minor domestic skirmishes .

5. Heard learned counsel for the parties and have gone through the materials on record. It appears that within seven years of marriage the deceased has died in her matrimonial home that of unnatural death. There is allegation of demand of dowry against the petitioner and other family members and due to non-fulfillment of the demand, the deceased has been killed. The nature of the death is not important whether it is homicidal, suicidal and/or accidental, there is specific allegation of demand of dowry in the FIR. There is presumption against the accused persons under Section 113-A and 113-B of the Evidence Act, 1872. This Court vide order dated 27.02.2025, passed in Criminal Misc. No. 87376 of 2024, had called for a report regarding stage of trial and in pursuance of this learned Additional District & Sessions Judge V, Civil Court Bhojpur at Ara has furnished report, stating therein that out of nine charge-sheet witnesses, five witnesses have been examined and cross-examined and four witness are yet to be examined. Estimated time for conclusion of the trial has been given within six months. Considering the nature of allegation and the aforesaid discussion, I am not inclined to grant regular bail to



the petitioner at this stage.

6. Accordingly, the prayer of petitioner for grant of regular bail is rejected.

7. However, the petitioner may renew his prayer for bail after six months if the trial is not concluded.

(Anil Kumar Sinha, J)

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