

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41422 of 2014

Arising Out of PS.Case No. -25 Year- 2014 Thana -TIYAR District- BHOJPUR

Sakuleshwar Chaubey, Son of Kanhaiya Chaubey, Resident of Village -
Sikaria, P.S. - Tiyar, Distt. - Bhojpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Awadh Kishor Singh, Advocate

For the Opposite Party/s : Mr. Ashok Kumar(App)

CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

5 10-03-2015 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 302/34 of the Indian Penal
Code.

The allegation is that the petitioner was asking his wife,
the deceased to demand ornaments from her father's house and
after altercation, the petitioner killed his wife and hanged her in
the ceiling of the house.

The learned counsel for the petitioner submits that the
petitioner is the husband of the deceased. He married her after the
death of his first wife having three children. After the marriage,
the petitioner was leading conjugal life happily with the deceased



and a daughter Sweety, aged about six years, was also born from that wedlock. There was dispute between the petitioner and the deceased as the petitioner was ready to help his uncle in the marriage of his cousin sister. The petitioner has not killed her. He has no criminal antecedent. It is further submitted that the post mortem examination report shows that there has been no other injury than the ligature mark in the neck of the deceased. There is no eye witness to the occurrence.

The learned counsel for the State submits that during investigation, it has been found that a quarrel was going on between the deceased and the petitioner. After investigation, charge sheet has already been submitted.

Considering the facts and circumstances of the case, let the above-named petitioner be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara/court concerned in Tiya P.S. Case No.25/2014 after framing of charge with the following conditions :

1. One of the bailors will be the close relative of the petitioner.
2. The petitioner will not indulge in similar or in any other offence.



3. The petitioner will be well represented in
the court.
4. In case of absence for two consecutive
dates or in violation of the terms of the
bail, his bail bond will be liable to be
cancelled by the court concerned.

(Amaresh Kumar Lal, J)

V.K. Pandey/-

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