

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32790 of 2015

Arising Out of PS.Case No. -66 Year- 2014 Thana -NOKHA District- -

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1. Suganu @ Suganu Choudhary @ Sugandha Choudhary @ Sonu Choudhary S/o Kuar Choudhary Resident of Village Kuri Tola, P.S. Nokha, District Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subash Kumar

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 10-11-2015 Heard learned counsel for the petitioner and learned counsel representing the State.

The petitioner seeks bail in connection with Nokha P.S. Case No. 66 of 2014 registered for the offence punishable under Sections 304 B/34 of the Indian Penal Code.

Soni Devi the sister of the informant was married with Suganu @ Suganu Choudhary (the petitioner) six years ago and due to non-fulfillment of demand of chain the petitioner used to assault her and ultimately she was killed by strangulation.

Submission is of false implication and that the informant being instigated by the enemies of the petitioner lodged this case, wife of the petitioner has committed suicide and further knowing

the reality the informant has filed compromise petition in the court below and in support of that the informant was also present there. On the basis of compromise co-accused Buchni Devi has been allowed pre-arrest bail vide A.B.P. No. 375 of 2015. Without any proper investigation chargesheet has already been submitted and there is no chance of tampering with prosecution evidence.

Learned APP opposes the prayer of bail by submitting that the petitioner being addicted to drink used to assault his wife and after pressing her neck killed her. All the witnesses have supported the allegation and the doctor has noticed the cause of death as Asphyxia due to throttling.

In the facts and circumstances stated above and considering the allegation attributed against the petitioner, this Court is not inclined to enlarge the petitioner on bail, accordingly, his such prayer stands rejected.

However, the trial court is directed to expedite the trial and conclude the same as early as possible, preferably within four months, failing which the petitioner may be at liberty to renew his prayer for bail.

(Jitendra Mohan Sharma, J)

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