

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45278 of 2015

Arising Out of PS.Case No. -26 Year- 2014 Thana -SALAIYA District- AURANGABAD

Dharmendra Choudhary son of Vijay Choudhary resident of village - Bari,
Tola - Choudhary Bigha, P.S. Salaiya, District - Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh

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

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 09-02-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is the husband, who has been taken
into custody in connection with Salaiya P.S. Case No. 26 of
2014 for the offence registered under Sections 304(B)/34 of the
Indian Penal Code.

Learned counsel for the petitioner submits that there
is only general allegation of torture against all the accused
persons and that the petitioner is not at all involved in the
occurrence. It is further submitted that the family members as
also the informant had been informed about the death of the
victim lady. However, learned counsel for the State after
referring several paragraphs of the case diary submits that
there is clear evidence of ante mortem injuries on the body of
the victim lady and that the independent witnesses have stated

that the victim was being tortured in the recent past by the family members and it was the moral duty and responsibility of the husband to protect his wife.

Considering the entire gamut of circumstances and the materials available in the case diary, I am not inclined to grant regular bail to the petitioner. It is, accordingly, rejected.

However, it is directed that the trial of the case be concluded within a period of one year from today.

(Anjana Mishra, J)

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