

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50974 of 2016

Arising Out of PS.Case No. -92 Year- 2016 Thana -BOCHHA District- MUZAFFARPUR

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1. Rajiv Kumar Son of Sri Jogender Choudhary, Resident of Village-
Adigopalpur, P.S. Bochahan, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pandey Sanjay Sahay, Advocate

For the Opposite Party/s : Dr. Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 15-12-2016 Heard learned counsels for the Petitioner, the State and
the informant.

The Petitioner seeks bail in Bochahan P.S. case No.92
of 2016 instituted for the offence under Sections 304B/34 of the
Indian Penal Code, pending in the court of Shri A.K. Srivastava,
Sub-Judge-11-cum-ACJM, Muzaffarpur.

The allegation is that the accused persons including the
petitioner committed murder of the daughter of the informant by
pressing her neck.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 7.7.2016 and the charge sheet has
been submitted in the present case. There is no allegation of
tampering of witnesses alleged against the petitioner. The



petitioner has falsely been implicated in the present case. The witnesses in paragraphs 9, 13, 16, 33, 44, 65 of the case diary and paragraphs 8 and 9 of the supplementary case diary have not supported the allegations made in the F.I.R. It is at best a case for offence under Section 306 I.P.C.

On behalf of the State and learned counsel for the informant, it is submitted that the petitioner is named in the F.I.R. assuming to be a case of suicide. Still the petitioner is the abettor.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner at this stage. The same is rejected.

(Sudhir Singh, J)

Narendra/-

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