

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49455 of 2015

Arising Out of PS.Case No. -217 Year- 2013 Thana -KHIJARSARAI District- GAYA

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1. Shankar Chaudhary @ Butta Chaudhary Son of Rajan Chaudhary
Resident of Village - Nau Mile, Police Station - Khizer Sarai, District -
Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar

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

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 09-02-2016 Heard the learned counsel for the petitioner as well as

the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences
punishable under sections 304 (B) and 201/34 of the I.P.C

Chando Devi, the daughter of the informant, was
married to the petitioner in the year 2009 and thereafter on
10.10.2013 the petitioner killed his wife and made the dead body
traceless due to non fulfillment of demand of Rs. 50,000/-.

Submission is of false implication and that there was
cordial relation between the petitioner and his wife, on the date of
occurrence the petitioner was not present in his house, as a matter
of fact due to some dispute the wife of the petitioner committed



suicide as she was not interested in living with the petitioner's family and this fact has been stated by the witnesses during investigation and further the informant and his relatives have also stated that the deceased committed suicide, the petitioner is in custody since 16.09.2014, charges have been framed on 13.05.2015 but not even a single prosecution witness has turned up and in near future the trial is not likely to be concluded.

The learned A.P.P. after going through the case diary fairly submits that during investigation it has come that the deceased committed suicide.

In the facts and circumstances as stated above, considering that charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-Vth, Gaya in Sessions Trial No. 58 of 2015 arising out of Khizer Sarai P.S. Case No. 217 of 2013, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on

his part without any reason shall disentitle the petitioner from
privilege of bail.

(Jitendra Mohan Sharma, J)

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