

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8981 of 2016

Arising Out of PS.Case No. -152 Year- 2015 Thana -BARURAJ District- MUZAFFARPUR

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1. Shatrughan Choudhary @ Shatrudhan Choudhary Son of Late Mangal Choudhary, Resident of Village - Bishanpura, P.S. - Baruraj, District - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash

For the Opposite Party/s : Mr. Harendra Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 25-04-2016 Heard learned counsel for the petitioner and learned A.P.P. representing the State.

The petitioner seeks bail in connection with Baruraj P.S. Case No. 152 of 2015 registered for the offences punishable under Sections 304(B) and 201 of the Indian Penal Code.

Gudun Kumari, daughter of the informant was married to Brij Bihari Chaudhary, son of Bharat Chaudhary and allegedly, due to non-fulfillment of demand of dowry by way of Maruti Wagon-R car, she was being assaulted by the petitioner and other in-laws and ultimately she was killed and her dead body was also made traceless.

Submission is of false implication and that the



petitioner has got no concern with the family affairs of Bihari Chaudhary, the petitioner is cousin father-in-law of the deceased and he has been living separately since long, there was family partition and to this effect, certificate granted by Mukhiya and Surpanch were filed in the learned court below itself, the petitioner without any fault is suffering in custody since 24.12.2015, chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes the prayer of bail by submitting that during investigation it has come that the petitioner was also involved in killing the deceased and making the dead body traceless and further within one year of marriage the death has been caused.

In the facts and circumstances stated above, considering that the petitioner is cousin father-in-law and chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence and, as such, the petitioner, above named, is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri. Amit Kumar Tiwari, learned J.M., 1st Class at Muzaffarpur in

connection with Baruraj P.S. Case No. 152 of 2015 subject to the conditions that one of the bailors must be 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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