

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29846 of 2016

Arising Out of PS.Case No. -143 Year- 2014 Thana -PARASBIGHA District- JEHANABAD

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Buchcha Chaudhary @ Rajeshwar Chaudhary son of Late Yadu Chaudhary,
resident of Village- Larsa, Police Station- Parasbigha, District- Jehanabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Adv.

For the Opposite Party/s : Mr. Abhay Kumar – 1, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 23-09-2016 Heard both sides.

The petitioner apprehends his arrest in Paras Bigha P.S.
Case No. 143/2014, registered for the offences punishable under
Sections 302, 201 and 34 of the Indian Penal Code.

The informant alleged his daughter Usha Devi was
married with Balmiki Chaudhary. On 26.11.2014 he came to know
that that his daughter was killed by her husband and other family
members including the petitioner Buchcha Chaudhary. The
informant disclosed that his younger daughter Sulekha Kumari
was present at the place of occurrence. She saw the accused
persons assaulted and killed her sister due to non-fulfillment of
demand of dowry and she was kept in a room so she had no
information about the dead body of her sister.

Learned counsel for the petitioner submits that petitioner is innocent and petitioner is not the family member of the husband of the deceased. Petitioner only participated in the cremation of the deceased. It is further submitted that Dy. S.P. found accusation against the petitioner doubtful, but it appears from perusal of the statement of Sulekha Kumari sister of the deceased who was living with her sister in her sasural that the petitioner and other accused persons assaulted the deceased and killed her. Thereafter cremated her dead body.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above-named on anticipatory bail. Accordingly, the same is rejected.

If the petitioner surrenders in the court below learned court below shall consider prayer for regular bail of the petitioner taking into consideration that Hari Kishun Chaudhary and Balmiki Chaudhary have already been enlarged on bail and dispose of the bail petition of the petitioner preferably on the same day.

(Prabhat Kumar Jha, J.)

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