

IN THE HIGH COURT OF JUDICATURE AT PATNA**Criminal Miscellaneous No.447 of 2016**

Arising Out of PS.Case No. -108 Year- 2013 Thana -BISHUNPUR District- DARBHANGA

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1. Anil Choudhary Son of Shri Raman Choudhary Resident of Village-Hari Chanda Panchob, P.s Bishanpur, Distt Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kr. Thakur -Advocate
Mr. Pravin Kumar -Advocate

For the Opposite Party/s : Mr. S.Dayal(APP)

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI

ORAL ORDER

3 17-02-2016

Heard learned counsel for the petitioner as well as

learned APP for the State.

Deceased, Rashmi Devi happened to be the wife of petitioner. The marriage was solemnized four years ago and the deceased was blessed with a child.

It has been alleged by the informant, father of the deceased that since after marriage, the deceased was badly treated by her father-in-law, mother-in-law, husband and brother-in-law on account of non fulfilment of demand of dowry. On 18th September 2013, the informant was informed by the deceased regarding her apprehension of murder. On 20th of September 2013, the informant received an information from one Rajeev Choudhary, Mukhiya of Village-Panchob that his daughter has been murdered.

From the postmortem report, it is apparent that the deceased was done to death by way of asphyxia as a result of

hanging. There happens to be further disclosure in the postmortem report that stomach and bladder were empty which indicates, the death or murder whichever may be, at an early hour. On physical verification, some sort of sign has been found over the mouth as well as ligature mark around the neck giving an impression of upward direction.

In the aforesaid background when the statements of the witnesses have been gone through as well as from further statement of informant, it is apparent that petitioner for the last ten months along with his brother were staying outside at Silvasa where his daughter was also staying. She had returned just two months ago and that is the statement of his brother under para-11 of the case diary, brother of the deceased under para-13 and another brother under para-14 of the case diary. Therefore, even considering their statements, status of petitioner happens to be of abettor and even for that, save and except assumption, nothing more has been substantiated.

Accordingly, petitioner, Anil Choudhary is directed to be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Darbhanga at Laheriasarai in connection with Bishanpur PS Case No. 108/2013.

(Aditya Kumar Trivedi, J)

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