

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48722 of 2016

Arising Out of PS.Case No. -202 Year- 2015 Thana -BACHWARA District- BEGUSARAI

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Anuj Choudhary @ Ramanuj Chodhary S/o late Ramkaran Choudhary
Resident of village- Bachhawara, P.S. Bachhawara, District Begusarai.

.... Petitioner/s

Versus

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. Sri Ataur Rahman

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 06-12-2016 Heard the counsel for the petitioner and the informant.

The petitioner prays for bail in Bachhawara P.S. Case No. 202 of 2015 registered under section 302 IPC and section 27 of the Arms Act.

It is alleged by the wife of the deceased that while her husband was lying outside, the accused persons came and throttled her husband to death. Diverse allegations have been levelled to other accused persons, but so far as the petitioner is concerned, the allegation is that he pressed the neck until the deceased died.

Counsel for the petitioner submits that it is unusual on the part of the informant to become an eye-witness, particularly when no other person of the village has stood as an eye-witness. Some other accused persons who are said to have caught hold of the



hands or legs and one lady accused who is said to have put the cloth on the mouth of the deceased, have either been granted regular bail or anticipatory bail. The petitioner is in custody since 12.07.2016 having no criminal background.

Counsel for the informant, on the other hand, submits that the post mortem report of the deceased suggests throttling of neck causing asphyxia as the cause of death which corroborates the allegation.

Considering the above, this Court, for the present, is not inclined to release the petitioner on bail. Prayer is accordingly rejected.

(Kishore Kumar Mandal, J)

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