

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44394 of 2017

Arising Out of PS.Case No. -60 Year- 2016 Thana -PIPRA District- PATNA

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Ram Babu Choudhary, S/o Late Deo Charan Choudhary, Resident of Vill-
Chamuchak, P.S.-Pipara, District-Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Shankar Choudhary

For the Opposite Party/s : Mr. Sri Mukeshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD
ORAL ORDER

2 19-09-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner, in the present case, is seeking regular
bail in connection with Pipra P.S. Case No.60 of 2016, registered
for offences alleged under Sections 363 and 365 of the Indian
Penal Code. Subsequently, Section 302/34 of the Indian Penal
Code was also added.

Learned counsel for the petitioner submits that a
bare perusal of the F.I.R. would show that there is no specific
allegation of abduction against the present petitioner. The
informant is the nephew of the petitioner's wife, who has alleged
that his mother had been taken away by his father's sister, later on
her mother had gone missing. The informant raised suspicion that



behind this occurrence this petitioner and his wife were also involved. Learned counsel further submits that the wife of petitioner has been granted regular bail by a coordinate Bench of this Court in Cr.Misc.No.35458 of 2017 vide order dated 28.08.2017.

Learned APP representing the State submits that, in fact, the father of the informant has confessed his guilt in course of investigation that he had murdered his wife. The father of the informant has also stated of getting help in this regard from this petitioner which has come in paragraph 47 of the case diary as noted in the impugned order.

Learned counsel for the petitioner, at this stage, submits that Ashok Chaudhary is already in custody and a perusal of the FIR would disclose that he was not on good terms with his wife. In any case, this petitioner, who is brother-in-law of the said Ashok Chaudhary, is separate in mess and business, lives with his family at different place and has falsely been implicated in the present case.

Considering the facts and circumstances of this case particularly that the petitioner is brother-in-law of Ashok Chaudhary and said Ashok Chaudhary is already in custody as submitted by the learned counsel for the petitioner and this petitioner has got no criminal history, let the petitioner, namely,



Ram Babu Choudhary be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-10, Patna in connection with Pipara P.S. Case No.60 of 2016 (S.Tr.No.334/17), subject to the conditions U/S 437(3) Cr.P.C.

(Rajeev Ranjan Prasad, J)

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