

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.965 of 2017

Arising Out of PS.Case No. -12 Year- 2003 Thana -PAKARIBARAW District- NAWADA

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Rajendra Chauhan, Son of Shivjee Chauhan @ Shiv Chauhan, Resident of
Village- Odpura, P.S.- Pakribarawan, District- Nawada.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar

For the Opposite Party/s : Mr. Prem Kumar Jha

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

3 28-01-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is an accused in connection with
Pakribarawan P.S. Case No. 12 of 2003, registered under Sections
304(B), 201 and 494/34 of Indian Penal Code, pending in the Court of
Addl. Sessions Judge-V, Nawada.

The allegation of informant, namely, Bisheshwar Prasad
Chouhan is that he performed the marriage of his daughter with this
petitioner in the year 1996, but she was killed by her husband and
other in-laws due to non-fulfillment of demand of dowry in the year
2003 and her dead body was disposed of.

Learned counsel appearing on behalf of the petitioner
submits that on the basis of the written report of the informant
Pakribarawan P.S. Case No. 12 of 2003, registered under Sections



304(B), 201 and 494/34 of Indian Penal Code and after investigation, Police also submitted Chargesheet in the year 2007 showing the petitioner and other accused named in the F.I.R. as absconder. Thereafter, the petitioner has been apprehended by the Police on 05.06.2016 and since then he is in custody. Further submission is that, in fact, deceased daughter of the informant died due to diarrhoea, but due to misconception the informant lodged the present case, but after knowing the real fact he filed the application in the Court of Chief Judicial Magistrate, Nawada on 22.03.2005 to the effect that he filed the present case in wrong misconception.

Learned counsel for the State vehemently opposed the prayer of the petitioner.

Having considered the facts and circumstances of the case and nature of allegation, I am not inclined to enlarge the petitioner on bail. Accordingly, prayer of the petitioner, above named, is rejected.

(Rajendra Kumar Mishra, J)

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