

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55286 of 2017

Arising Out of PS. Case No.-236 Year-2016 Thana- BELHAR District- Banka

1. Kajal Devi , wife of Karu Choudhary
2. Karu Choudhary, son of Late Jhari Choudhary
Both are resident of village – Ghogha, P.S. - Belhar, District – Banka

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Sri Sanjay Kumar Jha
For the Opposite Party/s : A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 16-11-2017 Heard Sri Sanjay Kumar Jha, learned counsel for the
petitioners and learned Additional Public Prosecutor.

Two petitioners, who are in custody only since 24.8.2017
have prayed for grant of bail in Belhar P.S. Case No. 236 of
2016 registered for the offence under Section 328 , 302/ 34 of
the Indian Penal Code, 1860.

It was submitted by learned counsel for the petitioners that
the wife of petitioner no. 2 died due to ailment, but with a
view to extract money, a false case was instituted by the mother
of the deceased. So far petitioner no. 1 is concerned, he submits
that petitioner no. 1 is a lady having small child in her lap and
she may be enlarged on bail. However, considering the specific
allegation in the F.I.R., which suggests that even after twenty



five years of marriage with the deceased, petitioner no. 2 had solemnized marriage with petitioner no. 1 and there is allegation in the F.I.R. itself that deceased was tortured, the court is of the opinion that it is not a case for grant of bail.

The petition stands dismissed.

(Rakesh Kumar, J)

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