

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3445 of 2018

Arising Out of PS.Case No. -119 Year- 2014 Thana -KHANPUR District- SAMASTIPUR

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Suresh Chaudhary @ Dr. Suresh Chaudhary, Son of Uday Chaudhary,
resident of Village- Mahawalipur, Police Station- Kalyanpur, District-
Samastipur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha

For the Opposite Party/s : Mr. Smt. Nirjala Kumari

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 17-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
06.10.2017 in connection with Khanpur P.S. Case No. 119 of 2014
for offences punishable under Sections 302, 201 and 34 of the
Indian Penal Code.

The prosecution case, as lodged by the village Dafadar,
is that a dead body of 20 year old lady was found in the field.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal history and his
name surfaced on the confessional statement of co-accused
Lalbahadur Paswan. He submits that there is no eye witness to the



alleged occurrence and that co-accused Raj Kumari Devi has been acquitted in Sessions Trial No. 289 of 2015.

However, learned APP for the State opposes the prayer for bail stating therein that the independent witnesses have supported the prosecution case as the petitioner was a paramour of Raj Kumari Devi and the deceased girl was the daughter of Raj Kumari Devi who had seen the petitioner and Raj Kumari Devi together and was beaten to death by the petitioner.

Considering the facts and circumstances and the materials on record, I am not inclined to grant privilege of bail to the petitioner at this stage in connection with Khanpur P.S. Case No.119 of 2014 pending in the court of learned Chief Judicial Magistrate, Samastipur.

The application is, accordingly, rejected.

(Nilu Agrawal, J)

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