

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2024 of 2018

Arising Out of PS. Case No.-95 Year-2017 Thana- LADANIA District- Madhubani

Siya Saran Choudhary, Son of Late Satyanarayan Choudhary, Resident of
Village- Pathalgadha, P.S.- Ladaniya, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Gagan Deo Yadav, Advocate
For the State	:	Mr. TAPESHWAR SHARMA, APP
For the Informant	:	Mr. Ramchandra Jha Raman, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 22-02-2018 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the informant.

The petitioner seeks bail in Ladaniya P.S. case No.95 of
2017 registered under Sections 498A, 304B and 201/34 of the
Indian Penal Code, pending in the court of A.C.J.M. IV,
Madhubani.

Allegation is that the accused persons including the
petitioner caused death of the daughter of the informant by
strangulation.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 23.06.2017 and has got no criminal
antecedent. There is no allegation of tampering of witnesses
alleged against the petitioner. The petitioner has falsely been



implicated in the present case due to mistake of fact. There is no other substantive evidence to suggest the implication of the petitioner in the present case nor there is any eye witness to the alleged occurrence.

On behalf of the State and the learned counsel for the informant, it is submitted that the petitioner is named in the F.I.R. He is the husband of the deceased. The onus is upon him to explain the cause of death of the deceased. The postmortem report corroborates the allegations made in the F.I.R.

Considering the aforesaid facts and circumstances, I am not inclined to granted bail to the petitioner. The same is rejected. The Trial Court is directed to take all necessary steps to expedite the trial.

(Sudhir Singh, J)

Narendra/-

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