

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23578 of 2018

Arising Out of PS.Case No. -2 Year- 2013 Thana -SAKSOHRA District- PATNA

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Manoj Choudhary Son of Basant Choudhary, resident of Village - Saksohra,
Police Station Saksohra, District - Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun

For the Opposite Party/s : Sri Harendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

4 17-05-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner, who is in custody, seeks bail in connection with Sessions Trial No. 128 of 2014 arising out of Saksohara P.S. Case No. 2 of 2013 registered for the offence under section 304B/34 of the Indian Penal Code.

The petitioner is husband of deceased and allegation is that he committed murder of his wife in his house as the demand of dowry was not fulfilled.

The learned counsel for the petitioner submits that the victim died on account of accidental burn injury for which a UD Case No. 1 of 2013 was registered on the statement of father-in-law of the deceased. There is also delay of 16 days in lodging the FIR and the petitioner is in custody since the date of



occurrence.

The learned counsel for the opposite party on the other side opposed the submission.

On perusal of case diary and post mortem report it appears that the deceased died on account of burn injuries. In the post mortem report, the doctor has reported fracture of 3rd and 4th cervical vertebra tracheal and tracheal ring at the level of 3rd and 4th cervical vertebra fractured which suggests that the deceased was strangled to death. It further appears that in course of investigation several witnesses have supported the allegation of torture against the petitioner.

Considering the facts and circumstances of the case, this Court is not inclined to grant bail to the petitioner.

This application is accordingly rejected.

(Sanjay Kumar, J)

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