

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8388 of 2019

Arising Out of PS. Case No.-420 Year-2017 Thana- NAUTAN District- West Champaran

Marwari Chaudhari @ Mirwari Chaudhari S/O Sheodhari Chaudhari @
Shivdhari Chaudhary, resident of Village- Bheriharawa,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 23-07-2019 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case registered under
Sections 302 & 34 of the Indian Penal Code.

The prosecution case, in brief, is that due to protest of extra
marital affair with one Meena Devi, the informant's mother was
shot dead.

It has been submitted on behalf of the petitioner that the
petitioners have got no criminal antecedent. There is no
allegation of tampering of witnesses alleged against the
petitioner. The petitioner is in custody since 23-10-2017. Charge
sheet in this case has already been submitted. The petitioner has
been falsely implicated in the present case. There is no eye
witness to the alleged occurrence nor there is any circumstantial
evidence to suggest the implication of the petitioner in the



alleged offence.

On behalf of the State, it is submitted that the petitioner is named in the FIR. The informant is none other than the daughter of the deceased as well as the petitioner. She has alleged that due to extra marital affair of the petitioner, he committed murder of the deceased. The petitioner is husband of the deceased. The onus is upon him to explain the cause of death of his wife.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. Accordingly, prayer for bail of the petitioner in connection with Nautan P.S. Case No. 420 of 2017 is rejected.

Learned trial court is directed to expedite the trial and conclude the same preferably within a period of nine months from the date of receipt/production of copy of this order.

(Sudhir Singh, J)

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