

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.12400 of 2019**

Arising Out of PS. Case No.-224 Year-2018 Thana- BIHPUR District- Bhagalpur

SUNIL CHOUDHARY Son of Late Upendra Choudhary Resident of Village-  
Nanhkar Jairampur, Police station-Bihpur, District-Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Ashraf Ansari

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      01-03-2019                      Heard learned counsels for the parties.

The petitioner, being the elder brother of the husband of the victim, is languishing in custody since 22.8.2018 in a case registered for the offences punishable under Sections 302,201 and 120B/34 of the I.P.C.

The prosecution case as per the written report of Jai Prakash Rai submitted to the SHO, Bihpur Police Station is to the effect that the marriage of the daughter of the informant was performed in 2005 with co-accused Arvind Choudhary. Subsequently, she was blessed with three children. On 1.6.2018, the youngest daughter of the informant, namely, Shilu Devi informed the informant that the informant's elder daughter has been killed by her in-laws family members. Thereafter, the informant reached to the in-law's house of his elder daughter and found her dead.



It is submitted by learned counsel for the petitioner that in fact, the husband of the deceased gave Rupees Five Lacs to the deceased for purchase of land at Pune but the said money was handed over by her to the informant and the informant purchased a piece of land in the name of his wife. Subsequently, when the deceased asked her mother to execute the sale deed in her favour, she started demanding higher price of the land, hence, due to that, she committed suicide. It is further submitted that general and omnibus accusation has been levelled against the petitioner and the husband of the victim has been granted bail by the learned Sessions Judge on the ground that after conclusion of investigation, chargesheet has been submitted under Section 306 of the IPC.

Learned APP submits that the petitioner is named in the FIR.

Considering the fact that thrust of accusation is against the husband of the victim who has been granted bail by the learned Sessions Judge, charge sheet has been submitted under Section 306 of the IPC and the period under custody, coupled with the fact that the petitioner is not having any criminal antecedent, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM I,



Naugachhia in connection with Bihpur P.S. Case No.224 of  
2018.

(Dinesh Kumar Singh, J)

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