

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.511 of 2019

Arising Out of PS. Case No.-84 Year-2018 Thana- SIMRA District- West Champaran

Sudhir Choudhary, Son of Nagendra Choudhary, Resident of Village-Serahwa, Murahwa, P.S. Semra Chiutaha, Distt.-W.Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj, Advocate

For the Opposite Party/s : Mr. Mustaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 12-03-2019 Heard learned counsel for the petitioner and the learned counsel for the informant as well as the State.

The petitioner seeks bail in Semra Chiutaha P.S. Case No. 84 of 2018, instituted for the offences under Sections 302, 304 (b)/34 of the Indian Penal Code.

Petitioner is the husband of the deceased. In the written report it is alleged that daughter of the informant was tortured in her sasural for fulfillment of demand of motorcycle of Rs. 50,000/-. The informant showed inability to fulfill the demand due to which she was killed by petitioner along with his family members. Case diary has been received.

Learned counsel for the petitioner has submitted that in paragraph 19 and 21 of the case diary, witnesses have stated that the petitioner used to remain ill on account of which the



deceased was in frustration and she committed suicide. In support of his medical condition he enclosed medical prescription as Annexure-2 to this petition.

Learned counsel for the informant submits that there is specific allegation leveled against this petitioner that on the date of occurrence this petitioner assaulted his wife (since deceased) on account of which she has committed suicide. In the case diary post-mortem report is available, wherein, doctor has opined that strangulation leading to asphyxia which is homicidal in nature. Beside the ligature mark on the neck no other injury has been found on the person of deceased. Petitioner is languishing in custody since 18.06.2018.

Considering the aforesaid fact and circumstances, prayer of the petitioner for grant of bail is allowed. 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 Judicial Magistrate, 1st Class, Bagha, West Champaran, in connection with Semra (Chiutaha) P.S. Case No. 84 of 2018. Both the bailors will be close relative of petitioner.

(Sanjay Priya, J)

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