

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39218 of 2019

Arising Out of PS. Case No.-422 Year-2018 Thana- HARNAUT District- Nalanda

SHIV SHANKAR CHOUDHARY Son of Mishri Choudhary Resident of
Village-Niyamatpur, P.S-Harnaut, District-Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madan Prasad Singh No.2

For the Opposite Party/s : Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 13-09-2019 Heard learned counsel for the petitioner and
learned counsel for the State.

The petitioner is accused in connection with
Harnaut P.S. Case No. 422 of 2018 registered under section
302/34 of the I.P.C. pending in the Court of C.J.M., Nalanda at
Biharsharif.

Submission of learned counsel for the petitioner is
that petitioner has no criminal antecedent. He is innocent and
has falsely been implicated in the present case with oblique
motive. Further submission is that petitioner is in custody since
11.12.2018.

Learned A.P.P. appearing on behalf of the State
opposed the prayer of the petitioner by contending that
petitioner is husband of the deceased. There is direct allegation



against the petitioner in the first information report that he assaulted the deceased by means of bricks with intention to kill her, as a result of which, she died during the course of treatment.

Having considered the facts and circumstances of the case and nature of allegation, I am not inclined to allow the prayer of the petitioner for bail. Accordingly, this application is rejected.

However, liberty is given to the petitioner to renew his prayer for bail after framing of charge.

(Arvind Srivastava, J)

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