

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54725 of 2019

Arising Out of PS. Case No.-53 Year-2019 Thana- RAUTARA District- Katihar

RAM BALAK CHOUDHARY S/o Late Khiro Choudhary R/o village and
P.S.- Rautara, District- Katihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anshuman Jaipuriyar
For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 20-11-2019 Heard learned counsels for the parties.

The petitioner is languishing in custody since 22.5.2019 in a case registered for the offences punishable under Section 302 of the I.P.C.

The accusation against the petitioner is of brutally assaulting his wife after 12 years of marriage causing her death.

It is submitted by learned counsel for the petitioner that the accusation of assault is not being corroborated by the medical opinion. Admittedly, there is no eye witness to the alleged occurrence and out of the wedlock, the petitioner has been blessed with three children. It is further submitted that the witnesses have not supported the accusation. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.



Learned APP after going through the case diary submits that though there is no eye witness to the alleged occurrence, however, it is suspected that the petitioner assaulted his wife and he is named in the FIR.

Considering the fact that no material supporting the accusation against the petitioner has been collected during investigation, investigation has already been concluded, period in 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 JM Ist Class, Katihar in connection with Rautara P.S. Case No. 53 of 2019.

(Dinesh Kumar Singh, J)

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