

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 77327 of 2019

Arising Out of PS Case No.-348 Year-2018 Thana- BAHERA District- Darbhanga

Saroj Mukhiya @ Saroj Sahni (Male), age about 25 years, Son of Mahendra Mukhiya @ Mahendra Sahni, Resident of Village - Murtujapur, P.S.- Bahera and District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Girish Chandra Jha, Advocate
For the State	:	Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 02-12-2019

Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in Bahera PS Case No. 348 of 2018 dated 10.08.2018 instituted under Sections 304 (B) and 34 of the Indian Penal Code.

3. The petitioner along with four others is accused of killing his wife, who is sister of the informant.

4. Learned counsel for the petitioner submitted that he used to work out and in his absence, the deceased used to talk with various persons to which he and his family members objected leading to suicide being committed by the deceased. It was submitted that there was no foul play by the petitioner or his



family members and the case has been wrongly filed against him. On a query of the Court as to why such a trivial reason of being asked not to talk on the phone, a young girl married for only two years, would take the extreme step of committing suicide and upon death, all family members including the petitioner had run away from the house without informing the authorities, learned counsel was not in a position to satisfy the Court.

5. Learned APP submitted that the circumstances and the report of the postmortem indicate death due to strangulation and several witnesses have supported the prosecution story and the petitioner being the husband is the person most responsible for the crime.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on bail.

7. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J.)

Anand Kr.

AFR/NAFR	
U	
T	

