

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30906 of 2020

Arising Out of PS. Case No.-213 Year-2020 Thana- BHABHUA District- Kaimur (Bhabua)

VINOD CHAUDHARY, (M), aged about 47 years, S/o Late Chhotu Chaudhary, R/o Village-Kabar, P.S.-Bhabua, District-Kaimur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Chandra Mohan Jha, Advocate.

For the Opposite Party : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

5 17-02-2021 Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks.

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

The petitioner seeks bail in a case registered for the offence under Sections 302/34 of the I.P.C.

The prosecution story, in brief, is that the informant is a *Chowkidar* and has got an information that the petitioner alongwith his son has committed murder of her daughter Soni Kumari then the informant informed the Bhabua Police Station where the S.H.P. went to the house of the petitioner then told that his daughter was in habit to go out of house without informing the family members. In the last night, she had left the



house and came back next day when the petitioner asked about her activity she replied negative, the petitioner committed her murder.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 01.04.2020. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The name of the petitioner has transpired in the present case on the basis of disclosure made by local *Chowkidar*. Subsequently, petitioner was apprehended and his confession was recorded before the police. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. He happens to be the father of the deceased. Petitioner has accepted in his confession that he had killed his daughter by '*Basuli*' (*Hasua*). The said '*Basuli* (*Hasua*)' which was used in the occurrence is said to have been recovered. The postmortem report also indicates that the injury was caused by sharp cutting weapon. The postmortem report corroborates the allegation made in the F.I.R.



Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in connection with Bhabua P.S. Case No. 213 of 2020, pending in the court of learned C.J.M. Bhabua, Kaimur.

The court below is directed to take all necessary steps to conclude the trial preferably within a period of nine months from the date of receipt/production of copy of this order.

(Sudhir Singh, J)

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