

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No. 45894 of 2021

Arising Out of PS. Case No.-126 Year-2018 Thana- BASOPATTI District- Madhubani

ASHISH CHODHARY @ ASISH CHOUDHARY Son of Ashok choudhary
@ Murari Choudhary Resident of Village - Parsa Kaithani Tol, P.S. -
Basopatti, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash

For the Opposite Party/s : Mr. Akbar Ali

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 01-09-2021 The instant case has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Mr. Akbar Ali, the learned APP for the State.

The present petition is by way of third attempt at the behest of the petitioner for grant of bail in connection with



Basopatti PS case no. 126 of 2018 under Sections 302, 304(B), 120(B)/34 of Indian Penal Code, inasmuch as earlier, the petitioner was permitted to withdraw his bail application by an order dated 20.02.2019, passed by this Court in Cr. Misc. no. 77075 of 2018 and then his prayer for grant of bail was rejected by this Court vide order dated 04.12.2020, passed in Cr. Misc. no. 29263 of 2020.

The petitioner is alleged to have killed his wife by setting her on fire.

The learned counsel for the petitioner has submitted that the petitioner is languishing in custody since 26.07.2018 and the trial has not yet been completed, hence the petitioner be granted the privilege of bail.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record, this Court finds that the petitioner is alleged to have committed a heinous crime of having killed his wife and moreover, there is no change in circumstance from the day, the



prayer of the petitioner for grant of bail was rejected earlier till date, hence I do not find any occasion to reconsider the prayer of the petitioner for grant of bail, thus the present petition stands dismissed.

(Mohit Kumar Shah, J)

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