

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.44099 of 2021**

Arising Out of PS. Case No.-303 Year-2020 Thana- BHANGWANPUR HAT District- Siwan

AWADHESH CHOUDHARY Son of Late Sheoji Choudhary Resident of  
Balhan Ali Mardanpur, P.S. Bhagwanpur, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Mithilesh Kumar, Advocate

For the Opposite Party/s : Mr. Rabindra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

5      22-03-2022                      Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302, 307, 325, and 326 of the Indian Penal Code.

As per the prosecution case lodged by the informant, her son, the petitioner herein is said to have murdered his wife and three children.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case merely on suspicion. There are no eye witness to the occurrence. The manner of occurrence is other than what has been narrated in the FIR. The FIR does not disclose the person who wrote the statement and got thumb impression of the informant who is an illiterate lady. The petitioner is in custody since 3.12.2020 and



has no criminal antecedent.

The application for bail is opposed by learned APP for the State . It is submitted by learned APP for the State that four persons were killed in the occurrence.

A report was called for from the learned trial court from which it transpires that 9 out of 12 witnesses have been examined on behalf of the prosecution.

Having heard learned counsel for the parties and taking into consideration the facts of the case and in view of the direct allegations against the petitioner of having murdered his wife and three children together with the progress in the trial in the learned trial court, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

**(Partha Sarthy, J)**

Spd/-

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