

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12075 of 2023

Arising Out of PS. Case No.-271 Year-2022 Thana- CHAKIA District- East Champaran

Raju Kumar @ Raju Kumar Chaudhary @ Raj Kumar Chaudhary Son Of
Nagendra Choudhary R/O Bhuan Chapra, P.S.- Chakiya, District- East
Champaran, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vishwajeet Kumar Mishra

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 19-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with
Chakiya P.S. Case No. 271 of 2022 instituted for the offence
under Sections 304(B)/34 of the Indian Penal Code.

As per allegation in the FIR, the informant alleged
that her daughter was married with the petitioner six months
earlier to the alleged occurrence and thereafter, the petitioner
along with his family members subjected her to cruelty due to
non-fulfillment of dowry demand. Ultimately, on 28.6.2022 the
informant came to that her daughter was killed by the accused
persons. Thereafter, the present FIR has been lodged.

Learned counsel for the petitioner submits that the
petitioner is innocent and committed no offence. The petitioner
is husband of the deceased due to which he has falsely been



implicated in this case. No specific allegation has been alleged against the petitioner. The petitioner has got no criminal antecedent as alleged in para-3 of the petition. Moreover, he is languishing in judicial custody since 29.6.2022.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the death of the informant's daughter was caused within seven year of her marriage. The petitioner is husband of the deceased upon whom the full responsibility to keep his wife well. Postmortem report annexed with the case diary, shows that cause of death of the deceased is due to Asphyxia due to strangulation. It is further submitted the witnesses of this case have also supported the prosecution.

Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

The trial Court is directed to expedite the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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