

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.9848 of 2022**

Arising Out of PS. Case No.-136 Year-2020 Thana- NOKHA District- Rohtas

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BINDE CHOUDHARY S/o Late Nagendra Choudhary R/o village-  
Raghunathpur, P.S.- Nokha, District- Rohtas (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

|                      |   |                                    |
|----------------------|---|------------------------------------|
| For the Petitioner/s | : | Mr.Sunil Kumar Pathak, Advocate    |
| For the State        | : | Mr.Md. Fahimuddin, APP             |
| For the Informant    | : | Mr.Raghunandan Kr. Singh, Advocate |

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

4      02-01-2023                      Heard the learned counsel for the  
petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Nokha P.S. Case No. 136 of 2020 for the offence registered under Sections 302 and 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

The allegation is regarding the husband of the deceased victim lady i.e. the petitioner herein having murdered the deceased victim lady by firing gun shots on her head resulting in her instantaneous death. The informant has further alleged that the main accused i.e. the husband of the deceased victim lady had engaged in the



aforesaid incident upon being instigated by the other co-accused persons.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, is having a clean antecedent and he is languishing in custody since 04.07.2020. The learned counsel for the petitioner has further submitted that some sympathy be shown to the petitioner herein on account of the period of incarceration already undergone by the petitioner.

Per contra, the learned A.P.P. appearing 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 as also considering the materials available in the case diary, this Court finds that the complicity of the petitioner in the alleged crime is writ large from the records and he



is the main accused who had fired gun shots on the head of his wife resulting in her instantaneous death, hence I do not find any reason to grant bail to the petitioner herein, thus the present petition stands dismissed.

**(Mohit Kumar Shah, J)**

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