

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27682 of 2022**

Arising Out of PS. Case No.-26 Year-2020 Thana- GOBARDHANA District- West
Champaran

=====

PAPPU CHAUDHARY SON OF JALIM CHAUDHARY @ SHRIKUSHUN
CHAUDHARY R/O VILLAGE- PATHARI, P.S.- GOBRADHANA,
DISTRICT- WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

=====

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

4 13-01-2023

Heard learned counsel for the parties.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 302, 201 and
34 of the Indian Penal Code.

As per the prosecution case, the sister of the informant
was married to the petitioner. It is stated that the informant was
informed by his sister that as a result of illicit relationship
between the petitioner and his bhabhi, she used to be assaulted.
The informant subsequently learnt that as a result of protest, the
accused persons including the petitioner herein throttled his
sister with a lathi to death and hid the body.

It is submitted by learned counsel for the petitioner
that the petitioner has been falsely implicated in the case only



for the reason of being the husband of the deceased. The manner of occurrence is other than what has been narrated in the F.I.R. In fact, the deceased committed suicide as she did not want to reside with her husband. Other co-accused has been enlarged on anticipatory bail. The post-mortem report has not supported the prosecution case. No independent witness has come forward to support the case of the informant. The petitioner is in custody since 7.10.2020 and has no criminal antecedent.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the petitioner being the husband of the deceased, there being direct allegation against him in the F.I.R. and the same having been supported from the contents of the post-mortem report where the cause of death is said to be asphyxia due to strangulation, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial court is directed to expedite the trial.

(Partha Sarthy, J)

Saurabh/-

U		T	
---	--	---	--

