

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36163 of 2023

Arising Out of PS. Case No.-36 Year-2023 Thana- BAKHARI District- Begusarai

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Saheb Choudhary @ Baijnath Choudhary S/O- Late Umesh Choudhary
Village- Shumbha Ward No-10, Ps- Bahadurpur Dist- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binay Kumar

For the Opposite Party/s : Mr.Rajendra Prasad Nat

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 04-10-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for bail in a case registered for the offence punishable under sections 302, 120(B),34 of the Indian Penal Code.

As per allegation in the FIR, informant's daughter (deceased) had performed love marriage in the year 2007 but after couple of months, she was being tortured by family member of her husband for dowry demand. They used to threaten her to fulfill the dowry demand otherwise they will perform another marriage with another girl. Ultimately, under a common conspiracy, husband Prashant Kumar in connivance with his family members killed her



near Jokiyahi bridge.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is not the family member of the deceased's husband. He is not named in the FIR. His name appeared on the basis of confessional statement of co-accused Rupesh Kumar as conspirator. He has no role in commission of murder of informant's daughter. The sole responsibility to take care of wife is upon husband and not against his family members or relatives. Husband is in judicial custody. Several other accused persons have already been enlarged on bail by another coordinate Bench of this Court vide order dated 21.7.2023 passed in Cr. Misc. No. 42858/2023, 23.8.2023 passed in Cr. Misc. No. 55130 of 2023 and the case of the petitioner stands on better footing to that of the co-accused. Petitioner is languishing in judicial custody since 20.02.2023.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this



court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned CJM, Begusarai in connection with Bakhri P.S. Case No. 36 of 2023.

(Sunil Kumar Panwar, J)

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