

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36939 of 2023

Arising Out of PS. Case No.-380 Year-2021 Thana- UDAKISHUNGANJ District-
Madhepura

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Mukesh Chaurashiya Son Of Late Chhotelal Chaurashiya Resident Of Village
-SHEIKHPUR Chaman, Ward No. 15, Ps- Udakishunganj, Distt- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binod Kumar, Advocate
For the Opposite Party/s : Mr.Binod Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 05-09-2023 Heard the parties.

2. The petitioner is in judicial custody in connection with S.T. No. 264 of 2022 arising out of Udakishunganj P.S. Case No. 380 of 2021 for the offence punishable under Sections 304(B) and 201/34 of the Indian Penal Code lodged on 16.12.2021 by the informant, Manju Devi.

3. The prosecution story is that the petitioner is the husband of 20 years old lady and the allegation is that due to dowry, she was killed by the in-laws which led to lodging of the FIR.

4. Learned counsel for the petitioner submits that although he is the husband, there is no allegation of dowry and only to frame him, the FIR.



In this case, case diary was called for by a coordinate bench of this Court on 5.7.2023 which has since been received and the learned APP has drawn attention of this Court to the post-mortem report which has recorded the cause of death as asphyxia due to strangulation.

In that view of the matter and taking into account the post-mortem report, the petitioner being the husband, cannot absolve himself from the alleged death of his wife.

The bail application stands rejected.

In view of the fact that the petitioner is in custody since 17.12.2021 and as per the learned counsel for the petitioner, charges have been framed, the trial Court is directed to expedite and conclude the same within one year from today.

(Rajiv Roy, J)

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