

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43492 of 2022

Arising Out of PS. Case No.-136 Year-2021 Thana- BARHARA District- Bhojpur

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VINOD KUMAR CHOUDHARY S/o Late Akshe Lal Choudhry R/o village-
Ram Sagar, P.S.- Barahara, Distt.- Bhojpur (Ara)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anand Kumar Ojha

For the Opposite Party/s : Mr.Lalan Kumar

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

4 31-01-2023 Let the defect(s), as pointed out by the office, be

removed within a period of four weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with
Barahara P.S. Case 136/2021, registered for the offence
punishable under Sections 304(B)/34 of the Indian Penal Code.

As per prosecution case, petitioner alongwith others
have committed the murder of informant's sister by setting her
on fire due to non-fulfillment of demand of dowry.

Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case being husband of the deceased. The petitioner is
languishing in custody since 30.06.2021 and bears no criminal



antecedent. The marriage of petitioner took place 19 years ago, there cannot be probability of any demand of dowry and there no motive behind the occurrence.

The learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioner and submits that there is allegation against the petitioner and others of committing murder of the informant's sister by setting her on fire and the same is corroborated by the postmortem report. He further submits that the petitioner is husband of the deceased.

Considering the facts and circumstances of the case, petitioner is husband of the deceased and nature of allegation levelled against the petitioner coupled with the postmortem report and material available on record, I am not inclined to grant bail to the petitioner. Hence, prayer for bail of the petitioner stands rejected.

However, if trial is not concluded within six months from the date of receipt / production of copy of this order, the petitioner may renew his prayer for bail.

(Alok Kumar Pandey, J)

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