

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47751 of 2023

Arising Out of PS. Case No.-500 Year-2022 Thana- FALKA District- Katihar

VIKASH CHOUDHARY, aged about 27 years, Male, SON OF LATE BHAGWAN CHAUDHARY @ BHAGWAN BHAGAT, Resident of VILLAGE -FULDOBHI, P.S.- FALKA DISTRICT KATIHAR... Petitioner/s
Versus

1. The State of Bihar
2. SATRUGHAN CHAUDHARY, SON OF LATE PAGU CHAUDHARY
RESIDENT OF CHAKRADAHA, PS- NARPATGANJ, DIST- ARARIA
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Sharma, Advocate
For the Opposite Party/s : Mr.Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 02-08-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with Falka P.S. Case No. 500 of 2022 dated 08.12.2022 registered for the offence(s) punishable under Section(s) 304(B)/120(B)/34 of the Indian Penal Code.

3. As per prosecution, FIR named accused persons including the petitioner have killed the daughter of the informant for non-fulfilment of demand of dowry.

4. The main submissions advanced by the learned counsel for the petitioner are that there is no eye-witness of the alleged occurrence, prior to institution of the FIR no complaint was made by the informant, who happens to be father of the deceased or by the deceased herself regarding the alleged cruel



behaviour with the deceased by this petitioner for demand of dowry, in fact the deceased was suffering from depression owing to which she committed suicide. Further submission is that petitioner has been languishing in jail since 09.12.2022.

5. Learned APP appearing for the State has opposed the bail prayer.

6. Heard both the sides and perused the FIR. Petitioner is husband of the deceased and their marriage took place in the year 2015 and within seven years of her marriage victim died unnatural death and as per medical opinion given in the postmortem report, the cause of death has been opined as asphyxia due to strangulation. Considering the seriousness of the allegation appearing against this petitioner, in my view, petitioner does not deserve to the privilege of bail. Accordingly, his bail prayer stands rejected.

7. The trial Court is directed to expedite the trial of this petitioner and take steps to conclude the same in the next one year. If the trial of the petitioner is not concluded within the said period then he may renew his bail prayer.

(Shailendra Singh, J)

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