

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47030 of 2022

Arising Out of PS. Case No.-154 Year-2021 Thana- RAJAPAKAR District- Vaishali

Bipin Chaudhary Son Of Late Jagdish Chaudhary R/O Village- Fulhara Bazar,
P.S.- Rajapakar, District- Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sabal Kumar Jha
For the Opposite Party/s : Mr. Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 17-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case in connection with Rajapakar (Baranunt OP) P.S. Case No. 154 of 2021 instituted for the offence under Sections 328, 304(B)/34 of the Indian Penal Code.

As per allegation in the FIR, petitioner along with his family members has tortured in various ways to the sister of the informant due to non-fulfillment of further dowry demand and ultimately in connivance with his other family members, petitioner killed his wife by administering poison.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is husband of the deceased and has been falsely implicated in this case. The alleged occurrence took



place on 19.4.2021 but with a view to harass the petitioner, FIR has been lodged after a delay of about two months. Deceased herself consumed poison and thereafter petitioner has taken her to hospital but she died. In last rites, family members of deceased were also present. Petitioner is in custody since 19.08.2021.

Learned APP appearing for the State has opposed the prayer of Bail and submitted that being the husband of the deceased and petitioner should be responsible to keep his wife with dignity. As per FSL report, Aluminum Phosphide was detected, which is a highly poisonous substance.

Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

The trial court is directed to expedite and conclude the trial.

(Sunil Kumar Panwar, J)

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