

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59330 of 2023

Arising Out of PS. Case No.-395 Year-2022 Thana- TEKARI District- Gaya

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RAMESH CHAUDHARY S/O GANGA CHAUDHARY R/O VILLAGE-
JHILMIL, P.S- TEKARI, DISTT.- GAYA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chandra Bhushan Prasad, Adv

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 08-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Tekari P.S. Case No. 395 of 2022 registered on 01.07.2022
lodged under Sections 304(B)/34 of the I.P.C.

3. As per the prosecution case, F.I.R. has been lodged
against 5 named and 3 unknown accused persons.

4. Counsel for the petitioner submits that the
informant has alleged that the marriage of her daughter was
solemnized with the petitioner on 09.02.2022 and just after four
months on 29.06.2022 she died at the house of her in-laws.
Counsel submits that it is not a case of murder or dowry as upon
alleged occurrence, the accused family intimated about this
event to the informant family and upon telephonic



communication, the informant family reached there. Counsel submits that the petitioner is in custody since 28.01.2023. He has clean antecedent.

5. Counsel further submits that vide order dated 08.09.2023, this Court has pleased to call the postmortem report and the case diary. From the Post-mortem report, the cause of death was due to asphyxia and shock due to hanging. Counsel submits that external injury was indicated in the postmortem report of the deceased, but all those injuries are only around the neck whereas other parts of body has no injuries. Counsel further submits that antecedent of the petitioner is clean and it is a case of suicide on pity issue.

6. Counsel submits that in the case diary, it has come in paragraph 22 that the petitioner had planned to visit Delhi for service and the wife was adamant to go with him. When husband refused, she became angry and decided to suicide.

7. Learned counsel for the State opposes the prayer for bail and submits that it is a case of 304B and it is the husband's responsibility to take care of his wife and now he can not take such plea. In reply, counsel for petitioner further submits that after realizing the mistake of filing this wrong case, both parties on the persuasion of well wishers and relative filed



an application to close this case vide Annexure-2

8. Upon specific query from the counsel for the petitioner whether charge is framed or not, he is not aware of the fact that charge is framed in this case or not.

9. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner, however, liberty is granted to the petitioner to renew his prayer for bail two months after framing of charge.

10. With this observation, the bail application stands rejected.

(Dr. Anshuman, J)

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