

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69664 of 2023

Arising Out of PS. Case No.-48 Year-2023 Thana- SAKATPUR District- Darbhanga

Roushan Choudhary @ Roushan Kumar S/O Rajesh Kumar Choudhary @
Rajesh Choudhary R/O Village- Nadiyami Tola Hariharpur, P.S- Sakatpur,
Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vaishnavi Singh

For the Opposite Party/s : Mr. Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 15-12-2023 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the informant

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 304(B), 347 and 34 of the Indian Penal Code in which chargesheet was submitted u/s 306 of I.P.C.

Prosecution case relates to commission of murder of the informant's daughter due to non-fulfillment of dowry demand.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is the husband of the deceased due to which he has falsely been implicated in this case. There is no prior complaint with respect to dowry demand, misbehave, torture and harassment to the deceased against the petitioner. It is further submitted that there is no



material against the petitioner that he abetted the deceased for committing suicide. This case has been lodged under sections 304(B), 347/34 of the I.P.C. but after investigation chargesheet has been submitted only u/s 306 of I.P.C. It is also submitted that as per the postmortem report of the deceased, there is no injury on her body save and except a ligature mark over the neck and cause of death as per doctor was asphyxia as a result of hanging. Petitioner is languishing in judicial custody since 09.06.2023.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sakatpur P.S. Case No. 48 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga.

(Sunil Kumar Panwar, J)

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