

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40504 of 2024

Arising Out of PS. Case No.-6 Year-2024 Thana- SUGAULI District- East Champaran

Tufani Choudhary S/O Badari Choudhary R/O Village- Chhota Bangra, Nonia
Tola, P.S- Sugauli, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 18-09-2024 Heard the parties.

2. The petitioner seeks bail in connection with
Sugauli P.S. Case No. 06 of 2024 registered for the
offence under Sections 363, 364, 366, 302, 323, 504,
120(B), 34 of the I.P.C.

3. The petitioner is named in the F.I.R. and is in
custody since 07.01.2024.

4. The allegation against the petitioner is to
commit murder of the daughter of the informant along
with other co-accused persons/ family members.

5. Learned counsel appearing on behalf of the
petitioner submitted that as the informant of this case was
under suspicion as the son of this petitioner teased her



daughter in past, therefore, petitioner under conspiracy with his son committed the murder of her daughter. It is submitted that dead body of daughter of the informant was found hanged with mango tree which is an open place and accessible to general public. It is submitted that cause of death was ascertained by doctor as asphyxia due to hanging which suggests *prima-facie* that the daughter of informant committed suicide. It is submitted that even the allegation regarding teasing is available against the son of the petitioner and his implications appears only being father, where with almost same allegation his wife namely, Sima Devi was granted Anticipatory Bail by one of the Id. co-ordinate Bench of this Court through Cr. Misc No. 52031 of 2024, vide order dated 04.09.2024. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer of bail.



7. In view of aforesaid facts and submission and by taking note of fact as save and except suspicion nothing appears against this petitioner as to involved with present occurrence of murder where his implication *prima-facie* appears being father of main co-accused, namely, Rohit Kumar, coupled with fact that investigation of this case is already completed where petitioner remains in custody since 07.01.2024, accordingly petitioner above named, is directed to be released on bail in connection with Sugauli P.S. Case No. 06 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Motihari, East Champaran/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C/ Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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