

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51254 of 2024

Arising Out of PS. Case No.-794 Year-2023 Thana- SAHPUR District- Patna

SUDHIR CHOUDHARY W/O LATE RAM RATAN CHOUDHARY R/O
VILLAGE- RAGHURAMPUR CHANDMARI, P.S- SHAHPUR, DISTT.-
PATNA.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. RANJIT CHOUDHARY S/O GIRJA CHOUDHARY R/O VILLAGE-
LALKOTHI, P.O- DANAPUR, P.S- SHAHPUR, DISTT.- PATNA.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 26-10-2024 1. Heard learned counsel for the petitioner and Mr.
Chandra Bhushan Prasad learned A.P.P. for the State.
2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 302/34 and 498(A) of the
Indian Penal Code.
3. Learned A.P.P. submits that in compliance of the
order dated 18.10.2024, the SHO and the Investigating Officer of
the case are present in the Court.
4. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and has been falsely
implicated in the instant case by the informant. It is further
submitted that daughter of the informant was married to the
petitioner in the year, 2015 and out of the wedlock, three children



were born. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the allegation of demand of dowry and torture is general and omnibus in nature. It is also submitted that in between 2015 till 2023, no case came to be instituted either by the informant or the deceased alleging demand of dowry. It is submitted that the victim was a short temper lady and at para 9 of the case diary during the course of investigation, it has come that victim earlier also had tried to commit suicide. It is further submitted that had the petitioner been involved in the occurrence then effort would have been made to dispose of the dead body to conceal the evidence but then no effort on part of the petitioner or his family members was made to dispose of the dead body to conceal the evidence rather the dead body was found lying in the house. It is next submitted that the victim out of anger on account of dispute with the petitioner committed suicide. It is also submitted that petitioner is in custody since 28.12.2023.

5. Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner and submits that what is not in dispute rather stands admitted is that the victim died in the house of the petitioner. It is further submitted that even presuming that the victim committed suicide then it was petitioner who was responsible for creating condition conducive for the victim to take



the extreme step of ending her life but then is not in a position to rebut the submissions of the learned counsel appearing on behalf of the petitioner that in between 2015 to 2023 no case ever came to be instituted and victim earlier also had tried to commit suicide and no effort was made on part of the petitioner to conceal the evidence by disposing of the dead body. Learned A.P.P. further submits that it appears that charges till date have not been framed on which learned counsel appearing on behalf of the petitioner fairly submits that charges till date have not been framed.

6. The Court is not inclined to release the petitioner on bail in connection with P.T.N. No. 6723 of 2023 arising out of Shahpur P.S. Case No. 794 of 2023 pending in the Court of learned Judicial Magistrate, 1st Class, Danapur/Successor Court.

7. Hence, the prayer for bail is rejected.

8. However, the petitioner would be at liberty to renew his prayer for bail after framing of charge.

9. The personal appearance of the SHO and Investigating Officer of the case is dispensed with.

(Satyavrat Verma, J)

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