

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85514 of 2023

Arising Out of PS. Case No.-81 Year-2023 Thana- FULKAHA District- Araria

Sunil Kumar Choudhary @ Sunil Choudhary PRAKASH CHOUDHARY
R/O VILLAGE- BHHANGHI, WARD NO. 10, P.S.- FULKAHA, DIST.-
ARARIA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabindra Kumar Priyadarshi, Advocate
For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 05-07-2024 Heard Mr. Rabindra Kumar Priyadarshi, learned
counsel for the petitioner and Mr. Jitendra Kumar Singh, learned
APP for the State.

2. The petitioner is in judicial custody in connection
with Fulkaha P.S. Case No. 81 of 2023 for the offence
punishable under Section 302/34 of the Indian Penal Code
lodged on 6.7.203 by the informant, Bhagwati Devi.

3. As per the prosecution story, the petitioner's son,
Sunil Kumar Choudhary was married to Jyoti Kumari and the
allegation in the FIR is that she was tortured for dowry and
ultimately, her death occurred. When the informant side reached
the spot, her dead body was there with mark on the neck.
Accordingly, the FIR.



4. In the case, case diary was called for and the same is on record.

5. It is the case of the petitioner that the lady committed suicide. The police was informed, post mortem conducted and only thereafter the mortals remains were consigned to flame.

6. Learned APP with the help of paragraph-26 submits that the witness has narrated that upon query from the daughter of the deceased, Khusi Kumari replied that her 'Papa' killed the mother.

7. The petitioner is husband, even otherwise, he had the duty to take care of his wife. The lady is no more whether it is death or she committed suicide, it would be appropriate that the same is decided by the Trial Court.

8. For the present, the petition stands rejected with a direction to the Trial Court to expedite the trial in view of the fact that the petitioner is in custody since 4.10.2023 and take the same to its logical conclusion in next nine months.

(Rajiv Roy, J)

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