

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45329 of 2014

Arising Out of PS.Case No. -13 Year- 2014 Thana -MATIHANI District- BEGUSARAI

Bindeshwari Thakur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Sinha

For the Opposite Party/s : Mr. Raj Ballabh Singh-(A.P.P.)

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

03 02-04-2015

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor.

Petitioner happens to be father in-law, who along
with his wife, another son including the husband of deceased has
been roped in on the basis of complaint petition, which was sent to
the local police for registration and investigation of the case
wherein, an allegation has been put that after 15 years of marriage,
deceased was done to death in the background of non-fulfilment of
demand of dowry.

It has been submitted on behalf of petitioner that
mother in-law, brother in-law have already been granted
anticipatory bail vide Cr. Misc. No.4850 of 2015 and the case of
petitioner stood much better footing apart from being prayer for
regular bail having more than six months of incarceration,

petitioner is the person, who had informed the police on account of suicidal event of deceased and also, the complaint petition confirms presence of him. Had there been any contrary finding by the police, then in that event, the aforesaid U.D. Case must have been transformed as a murder case.

On the other hand, learned Additional Public Prosecutor opposed the prayer and submitted that police after concluding investigation had submitted chargesheet under Section 306 of the I.P.C. Furthermore, though there happens to be absence of specific allegation but, being a family member, abetment to suicide must be found against the petitioner.

Considering the rival submission coupled with material on record, petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Mr. Sriprakash, Judicial Magistrate, 1st Class, Begusarai/ successor in office in connection with Matihani P. S. Case no.13 of 2014.

(Aditya Kumar Trivedi, J)

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