

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37965 of 2013

Arising Out of PS.Case No. -9 Year- 2013 Thana -DINARA District- SASARAM (ROHTAS)

Naulakh Sah, Son of Kanhaiya Sah, Resident of Village - Dharkandha, P.S.
- Dinara, District - Rohtas.

.... Petitioner/s

Versus

The State Of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ras Bihari Thakur, Advocate

For the Opposite Party/s : Mr. J.N.Thakur(APP)

CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

4 09-04-2015 The wife of the petitioner died. Dinara P.S. Case No.09 of 2013 was registered against the petitioner for the offences punishable under Sections 498A and 306/34 of the Indian Penal Code. He surrendered on 29.1.2013 before the trial court and since then he is in jail. B.P. No.819 of 2013 filed by him before the court of the Sessions Judge, Rohtas at Sasaram, Camp Court, Bikramganj was rejected on 12.7.2013. Hence, this application.

Heard learned counsel for the petitioner and the learned Additional Public Prosecutor for the State.

The allegation against the petitioner is, no doubt, serious in nature. However, the fact remains that it is one of causing murder of the wife of the petitioner. The question as to whether he has abetted suicide needs to be examined in the trial. It is stated

that it is the third marriage for the deceased and second marriage for the petitioner. The investigation is said to have been completed and the chargesheet has also been filed. Continued detention of the petitioner is not at all warranted in such cases.

Hence, the petition is allowed. The petitioner shall be released on bail on furnishing bail bond of Rs.10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Bikramganj, District-Rohtas, in connection with Dinara P.S. Case No.09 of 2013.

(L. Narasimha Reddy,CJ)

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