

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32195 of 2016

Arising Out of PS.Case No. -158 Year- 2015 Thana -ROSHANGAANJ District- GAYA

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1. Vijay Paswan Son of Rachiaya Paswan Resident of Village- Tilaiya, P.S. Roshanganj , District Gaya. Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha

For the Opposite Party/s : Mr. Sri Dinesh Singh

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 17-09-2016 Heard learned counsel for the petitioner and learned counsel representing the State.

The petitioner seeks bail in connection with Roushanganj (Banke Bazar) P.S. Case No. 158 of 2015 registered for the offences punishable under Sections 341, 323, 306 and 504 of the Indian Penal Code.

Ranju Kumari, the daughter of the informant, was married to the petitioner in the year 2002 and allegedly, on 26.08.2015 there was some altercation between the petitioner Vijay Paswan and his wife Ranju Kumari then she after sprinkling kerosene oil burnt herself and the petitioner came to save her and brought her to primary health centre Banke Bazar from where she was referred to Gaya. Thereafter, she was brought to A.N.M.C. H., Gaya where during treatment she died and as such the fardbeyan was recorded in presence of the petitioner.

Submission is of false implication and that the petitioner has got no role in the suicide committed by his wife, he has not abetted the

crime so offence under Section 306 IPC is not made out. This is purely a case of suicidal death, the police without any proper investigation submitted chargesheet under Section 306 of the Indian Penal Code resulting, the petitioner is suffering in custody since 04.03.2016 without any fault and there is no chance of tampering with prosecution evidence.

Learned APP fairly submits that it is a case of suicidal death.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-divisional Judicial Magistrate, Sherghati at Gaya in connection with Roushanganj (Banke Bazar)P.S. Case No. 158 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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