

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42046 of 2016

Arising Out of PS.Case No. -110 Year- 2016 Thana -PATRAKARNAGAR District- PATNA

1. Shashank Ranjan Son of Late Jagdish Prasad Resident of Village-
Karanbigha, P.O.-Shankardih, P.S.-Parwalpur, District-Nalada

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vindhyachal Singh
Mr. Dilip Kumar

For the State : Mr. Ram Naresh Ray

For the informant : Mr. Suryakant Kumar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 04-10-2016 Heard learned Counsel for the petitioner, the
informant and learned Additional Public Prosecutor for the
State.

This application, for grant of anticipatory bail,
arises out of Patrakar Nagar Police Station Case No. 110 of
2016, disclosing offences under Section 306/34 of the
Indian Penal Code.

The petitioner is the husband of the deceased.

Learned Counsel for the petitioner has
submitted that though there is allegation in the First
Information Report of continuous torture meted out by the
petitioner to the deceased, the same is incorrect. he
submits that the petitioner did not play any role, which can

be described to be an abetment, leading to commission of suicide by the deceased.

Learned Counsel appearing on behalf of the informant has vehemently opposed the prayer for anticipatory bail and has submitted that the petitioner had tortured the deceased to the extent that she was left with no option, but to commit suicide. He also submits that the suicide note goes to indicate that the deceased committed suicide because it had become beyond her endurance to live.

However, from the First Information Report, I, prima facie, find that there is no material to indicate that the petitioner abetted commission of suicide in order to constitute an offence under Section 306 of the Indian Penal Code.

Considering the above submissions, this application is allowed.

Let the petitioner, Shashank Ranjan, in the event of his arrest or surrender before the Court below within six weeks, 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 Ms. Kiran Chaturvedi, Judicial Magistrate, 1st Class, Patna, in connection with Patrakar Nagar Police Station Case No. 110 of 2016,

subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-c

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