

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26773 of 2016

Arising Out of PS.Case No. -53 Year- 2016 Thana -TATARPUR District- BHAGALPUR

Himanshu Kumar Sudhanshu S/o Shri Nomani Sada @ Newani Sada R/o
Village- Sapaha, P.S.- Sour Bazar, District- Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma, Advocate.
For the Opposite Party/s : Mr. Sri Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 29-08-2016 Heard learned counsel for the petitioner and learned counsel
for the State.

The petitioner is languishing in custody since 27.04.2016 in
connection with Tatarpur P.S. Case No. 53 of 2016 registered for
offence under Section 306 of the Indian Penal Code. .

The prosecution story, in brief, is that the daughter of the
informant Reena Kumar was a student of B.A. Part III in Magadh
Mahila College and was in love with one Himanshu Kumar who
was also a student of class Eleven and was living in the lodge of
the informant at Patna 8 years before and after completing the
study of coaching, he left the lodge. But after two years he was
always in close contact with the informant's daughter. It is further
stated that on 25.04.2016 the informant's daughter left the house



of the informant by saying that she was going to attend the marriage of her friend and on 26.04.2016 at about 2 P.M the informant received telephonic message from O.C Tarapur that his daughter has committed suicide by way of hanging herself in the room of lodge which is situated at Lal Kothi Tarapur. It has further been alleged that Himanshu Kumar Sudhansu made sexual relation with Reena Kumari on false pretext of marriage. The daughter of the informant suicide due to refusal of marriage by the accused.

On behalf of the petitioner, it is submitted that the petitioner is in custody since 27.04.2016. Charge-sheet has been submitted in the present case. There is no allegation of tempering of witnesses alleged against the petitioner. Petitioner is a student and preparing for common entrance exam. Eight years back while he was residing at Patna in respect to his coaching, the deceased and the petitioner developed a love affair. Later on the petitioner was residing at Bhagalpur, where the deceased went and insisted for marriage. On the refusal of the petitioner, the deceased locked the room and committed suicide. From perusal of paragraph nos. 32, 33, 34 and 35 of the case diary, it is evident that the deceased is alleged to have committed suicide on the refusal by the petitioner in respect to marriage.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, 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 the learned Additional Chief Judicial Magistrate, Bhagalpur in connection with Tatarpur P.S. Case No. 53 of 2016.

(Sudhir Singh, J)

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