

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55571 of 2016

Arising Out of PS.Case No. -84 Year- 2016 Thana -KODHA District- KATIHAR

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Sunita Devi @ Tuniya, Wife of Sushil Sharma, Resident of Village
Musapur, Police Station- Korha, District- Katihar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nand Singh
For the Opposite Party/s : Mr. Nand Kishore Pd., APP
For the informant Mr. Jitendra Kumar Roy, Adv.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

4 02-03-2017 Heard both sides.

The petitioner seeks bail in Korha P.S. Case No.
84/2016, registered for the offences punishable under Sections
304B and 34 of the Indian Penal Code.

The informant alleged that he married his daughter
on 24.04.2015 with Sammi Sharma son of the petitioner, but
immediately after marriage, the daughter of the informant
complained about the ill-treatment at the hands of her husband and
other in-laws including the petitioner. The informant brought his
daughter to his own house, but after some time, her husband and
others came and took the daughter of the informant to their house,
but after one month daughter of the informant informed on phone
that her husband and in-laws were subjecting her to torture. The



informant thereafter took her daughter to his house, but the mother-in-law (petitioner) brought the daughter of the informant to her house and immediately thereafter, dead-body of the deceased was found hanging.

Learned counsel for the petitioner submits that the petitioner committed suicide.

From perusal of the para 2 of the case diary, it would appear that the Investigating Officer got information about committing of suicide by a lady and on such information, when the Investigating Officer went to the house of the petitioner, the lady was found hanging and the door was closed from inside. At best offence under Section 306 can be made out for abatement of suicide, but from perusal of the case diary, I find that the deceased was subjected to different sorts of torture and on account of this reason she was driven to commit suicide. The petitioner also played distinct role in torturing the deceased.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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