

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16489 of 2019

Arising Out of PS. Case No.-514 Year-2018 Thana- BANKA District- Banka

Manoj Kumar Sah, S/o Mahendra Sah, R/o Village- Hijariya, P.S.- Barahat,
District- Banka.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Rajib Ranjan Jha, Advocate
For the Opposite Party : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 21-05-2019 Heard learned counsel for the petitioner and
learned counsel for the State.

The petitioner seeks bail in connection with Banka
(Barahat) P.S. Case No.514 of 2018 registered under Sections
304B and 201 read with 34 of the Indian Penal Code.

It is submitted on behalf of the petitioner that the
ingredients of section 304B of the Indian Penal Code are not
attracted in the present case. In course of investigation, one
Sunil Sah has stated in para 7 of the case diary that the victim
committed suicide due to matrimonial discord and
incompatibility with her husband. The other witnesses examined
in course of investigation also corroborated the fact that the
victim committed suicide out of anger, as she was not having
cordial relationship with her husband. It is further contended



that when the victim poured kerosene oil and set herself on fire, her husband and other family members immediately took her to hospital and in course of treatment, she died.

Learned counsel for the State opposed the application for grant of bail to the petitioner. However, he did not contradict the aforesaid submissions made on behalf of the petitioner.

Regard being had to the facts and circumstances of the case, the petitioner, who is in custody since 17.08.2018, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Banka (Barahat) P.S. Case No.514 of 2018, subject to the following conditions:-

- (a) that the petitioner shall attend court in accordance with the conditions of the bond executed;
- (b) that the petitioner shall not commit an offence similar to the offence of the present case; and
- (c) that the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to



dissuade him from disclosing such facts to the Court
or to any police officer or tamper with the evidence.

(Ashwani Kumar Singh, J.)

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