

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19270 of 2019

Arising Out of PS. Case No.-252 Year-2018 Thana- KATIHAR MUFFASIL District- Katihar

Ram Balak Rishi, S/o Sri Arjun Rishi R/o village- R.D/87 Belauri, P.S.-
Ranipatra, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 02-04-2019 Heard the learned counsel for the petitioner and

the State.

The petitioner seeks bail in anticipation of his arrest in connection with Mufasil P.S. Case No. 252 of 2018 dated 28.11.2018 instituted for the offences under Sections 306 and 34 of the Indian Penal Code.

The father of the deceased has alleged that the petitioner had promised the deceased to make her successful the Matriculation examination and in return, asked her to marry him for which she was not ready. The victim girl was also pressurized by other supporters of the petitioner for marrying him. Vexed by such



pressure, the victim/daughter of the informant hung herself from the ceiling.

Learned counsel for the petitioner has submitted that even if the allegation in the FIR is accepted to be true, the ingredients for the offence under Section 306 of the IPC cannot be made out. For bringing the case within the mischief of Section 306 of the IPC, the act complained of should be committed towards the purpose of goading the deceased into committing suicide. The petitioner is only said to have promised the victim/deceased that in case she marries him, he would make her pass the Matriculation examination. Howsoever reprehensible the conduct of the petitioner may be, considering that he is a teacher, but offence under Section 306 of the IPC does not appear to have been made out.

For the aforestated facts, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of



four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Katihar in connection with Mufasil P.S. Case No. 252 of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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