

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.34674 of 2019**

Arising Out of PS. Case No.-21 Year-2018 Thana- LODIPUR District- Bhagalpur

Md. Masukh @ Md. Masuk Ali son of Md. Yunus Ali Resident of village-  
Lodipur Kala, P.S.- Lodipur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Md. Anisur Rahman

For the Opposite Party/s : Mr. Rana Randhir Singh

**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**  
**ORAL ORDER**

4      11-09-2019                      The petitioner seeks bail in connection with  
  
Lodipur P.S. Case No. 21 of 2018 dated 15.02.2018  
  
instituted for the offences under Sections 302, 120(B),  
  
34 of the Indian Penal Code.

The petitioner is the husband of the deceased  
  
who claims that the deceased being a temperamental  
  
person has committed suicide. He further submits that  
  
the deceased gave birth to five children out of her  
  
wedlock with the petitioner and therefore the allegation  
  
that the petitioner did not keep her well does not appear  
  
to be correct.

A mentally fragile person, if commits suicide,



the responsibility ought not to be cast upon the husband who has kept her well.

In any view of the matter, considering the fact that prior to the death of the deceased, the relationship between the spouses was strained, about which reference has been made in the F.I.R by the brother of the deceased, I am not inclined to grant bail to the petitioner, even though he is in custody since 03.01.2019.

The prayer for bail is rejected for the present.

**(Ashutosh Kumar, J)**

Shageer/-

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