

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40495 of 2019**

Arising Out of PS. Case No.-229 Year-2018 Thana- THAWE District- Gopalganj

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Pawan Sah Son of Sri Bunni Lal Sah Resident of Village - Ramchandrapur,
P.S.- Thawe, Dist.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Pandey, Advocate
For the Opposite Party/s : Mr.Binod Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

4 18-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner who is in custody since 15.12.2018 has
filed the instant application for grant of bail in connection with
Thawe P.S. Case No. 229 of 2018 registered for the offence
punishable under sections 304B, 328 and 34 of the Indian Penal
Code.

As per the allegation in the FIR, the torture of the
informant's sister started just five months after her marriage.
The accused persons were making demand of gold chain and a
motorcycle. It is alleged by the informant that the accused



persons killed his sister by hanging her.

It was submitted by learned counsel for the petitioner that it was a normal dispute between the husband and wife, as a result of which the sister of the informant committed suicide by hanging herself in absence of the petitioner. It was further submitted that the relationship between the petitioner and the deceased was cordial and they were blessed with a son. The investigation has concluded with submission of charge sheet. The petitioner surrendered on 15.12.2018 and is in custody since then.

The application for bail was opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the fact that some of the witnesses have supported the allegation of fight between the petitioner and the deceased, the wife of the petitioner committing suicide by hanging herself and the cause of death being confirmed by the postmortem, the Court is not inclined to grant bail to the petitioner and as such the petitioner's application for bail is rejected.

However, in view of the facts and circumstances of the case as also the material that has transpired in course of



investigation and the petitioner having surrendered on
15.12.2018, if so advised, the petitioner may renew his prayer
for bail after completing one year in custody.

(Partha Sarthy, J)

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