

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12857 of 2020

Arising Out of PS. Case No.-253 Year-2019 Thana- UDAKISHUNGANJ District-
Madhepura

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Sunil Sah S/o Prem Chand Sah @ Prem Chandra Sah R/o village- Kusthan
(Kushthani Ward No.- 9), P.S.- Udakishunganj, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Mishra, Advocate.

For the Opposite Party/s : Mr.Shailendra Kumar Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 03-07-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State through Video Conferencing.

The petitioner apprehends his arrest in connection
with Udakishunganj P.S. Case No. 253 of 2019 registered under
Sections 306 and 504/34 of the Indian Penal Code.

The accusation is that informant, Arun Sah, along
with his wife was sleeping in a room at his house in the night of
30/31.07.2019. At about 11 p.m., Kajal Devi, daughter-in-law of
his younger brother came and informed that in the room of his
daughter-in-law, Nitu Devi, wife of Mithelesh Sah, Sunil Sah
(petitioner) has entered. Thereafter, he along with his wife and
Kajal Devi went in the courtyard and saw that Nitu Devi was
slept and at her adjacent, Sunil Sah (petitioner) was also slept in



objectionable position. On seeing him, Sunil Sah (petitioner) fled away from there. Thereafter, after convincing his daughter-in-law, Nitu Devi, he along with his wife returned in his room. In the next morning, when informant went in the courtyard in front of room of his daughter-in-law, Nitu Devi then found the door was locked. Thereafter, the informant opened the door then saw that his daughter-in-law, Nitu Devi, was in hanging condition. It appears that his daughter-in-law, Nitu Devi, committed suicide due to loss of her prestige.

Learned counsel for the petitioner submits that it would appear from the FIR that no offence under Section 306 of the Indian Penal Code is made out against the petitioner, as there is no instigation of the hand of the petitioner to the daughter-in-law of the informant to commit suicide and it has also not disclosed in the FIR that petitioner was on the bed of the daughter-in-law of the informant without her consent.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.,



Udakishunganj, in connection with Udakishunganj P.S. Case
No. 253 of 2019, subject to the condition as laid down under
Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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