

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 21637 of 2020

Arising Out of P.S. Case No.-10 Year- 2020 Thana- Raghunathpur

- =====
1. VIMLA DEVI @ VIMAL DEVI aged about 63 years, (female), W/o-
Surendra Pandey @ Surendra Pandey
 2. SURENDRA PANDEY @ SURENDRA PANDEY aged about 66 years,
(male) S/o Brahmakeshwar Pandey @ Brahmakeshwar Pandey

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Prashant Kumar, Advocate
For the Opposite Party : Mr.Choubey Jawahar, APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 12-08-2020 Heard Mr. Prashant Kumar, learned counsel appearing
on behalf of the petitioners and Mr. Choubey Jawahar, learned
Additional Public Prosecutor, for the State of Bihar.

This application for grant of anticipatory bail arises
out of Raghunathpur P.S. Case No. 10 of 2020, registered for
the offence punishable under Sections 306 and 116 of the Indian
Penal Code.

The petitioners are mother-in-law and father-in-law
respectively of the deceased. Fardbeyan of the deceased is the
basis for lodging of the F.I.R., when she was undergoing



treatment in a hospital. The occurrence, as per the F.I.R. had taken place on 08.01.2020. The F.I.R. was however registered on 18.01.2020. It is evident from the F.I.R. that there was matrimonial discord between the deceased and her husband. If the prosecution case, as disclosed in the F.I.R., is considered to be correct, it was the informant's husband, who had abetted commission of suicide by the deceased. It is alleged against these petitioners that they did not come to her rescue, when she was making attempt to commit suicide by self-immolation.

On careful reading of the F.I.R., for the purpose of considering the case of the petitioners for grant of anticipatory bail, in my view, it is difficult to accept that a case of abetment to commit suicide against these petitioners.

This application is accordingly allowed.

Let the petitioners above named, in the event of their arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Chief Judicial Magistrate-VIII, Siwan in connection with Raghunathpur P.S. Case No. 10 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.



This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

Since there is a lockdown, the Court has considered it appropriate to adopt following procedure for communication of the present order:-

(i) The order, which has been dictated during the course of the proceedings of virtual Court, shall be communicated to me on my e-mail I.D. by the Secretary.

(ii) The corrected copy of the order shall be transmitted by me from my e-mail I.D. to the Secretary, which shall be treated to be the authentic copy of the order passed by this Court today in the present proceeding.

(iii) Hard copy of the order, duly signed by me, shall be preserved in my residential office for documentation and future use, if any.

(iv) Let a copy of the order be communicated to the learned court below through e-mail or any other appropriate electronic mode by the Registry.

Let steps be taken by the Registry for uploading of



the present order without compromising with the norms of social-distancing.

(Chakradhari Sharan Singh, J)

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