

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27441 of 2020

Arising Out of PS. Case No.-46 Year-2020 Thana- CHAKAI District- Jamui

SOMEL TUDDU S/O- Late Budhan Tuddu R/O Village - Barakola, P.S. -
Chakai, Dist. - Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Umanath Mishra APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 14-12-2020 As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

Learned counsel are appearing and making submissions from their residence. The Court master and Secretary are also part of this virtual Court proceedings with the aid of audio visual technology.

Mr. Uma Nath Mishra, learned APP, is appearing as it is submitted that the brief has been allotted to him by the office of Advocate General. His name may also be printed in the cause list.

Heard learned counsel for the petitioner and learned APP for the State .

Learned counsel for the petitioner is expected to honour



his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon.

The petitioner seeks bail in Chakai P. S. Case no.46 of 2020, instituted for the offence under Section 302 of the I.P.C.

The prosecution case alleges that the informant's daughter had gone out of the house but did not return. She was unreachable on her phone whereafter the petitioner has been contacted by the second daughter of the informant and the dead body was found on the next day.

It is submitted by the petitioner's counsel that the deceased and the petitioner were having an intimate relation and therefore she has come to visit him. The body of the victim has been found hanging from a tree and it is clearly a case of suicide. The victim was very short tempered which fact has also been stated by her sister during the course of investigation and since the petitioner was not in a position to solemnize marriage with the victim before 2021 and due to rage she has committed suicide.

The petitioner is in custody since 16.03.2020.

The learned APP has opposed the prayer for bail by submitting that as per the investigation the victim has visited the



petitioner's house before she was found hanging from a tree.

Considering the aforesaid, let the petitioner, above named, 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 ACJM 3rd Jamui, in connection with Chakai P. S. Case no. 46 of 2020, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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