

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 32420 of 2020

Arising Out of PS. Case No.-511 Year-2020 Thana- SAHARSA District- Saharsa

SUBHASH KUMAR, S/o Late Upendra Prasad Yadav R/o village- Chakla,
P.S.- Saur Bazar, Distt.- Saharsa

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 07-12-2020 Heard Mr. Sheo Shankar Sharma, learned

counsel for the petitioner and Md. Aslam Ansari, learned

APP for the State.

The petitioner seeks bail in connection with

Saharsa Sadar P. S. Case No. 511 of 2020 dated

29.06.2020, instituted for offence under Section 306 of

the Indian Penal Code.

The petitioner is the cousin of the deceased

who is alleged to have abetted the commission of suicide

by the deceased.

The learned counsel for the petitioner has

submitted that the dead-body of the deceased was found



hanging inside a closed room from the ceiling fan. From the CDR report, it appeared that the petitioner had, several times talked to the deceased. Only on the basis of these facts, it was suspected that the petitioner abetted the commission of suicide.

The learned counsel for the petitioner has submitted that the last talk of the deceased before suicide was with one Rajeev Kumar with whom she had developed some kind of relationship. The aforesaid Rajeev Kumar is said to have taken the name of the petitioner as an abettor of the crime and consequently the petitioner is sought to be prosecuted in this case.

The petitioner is in custody since 01.07.2020.

The learned counsel for the petitioner submits that there is no dispute that the petitioner had talked to the deceased several times over telephone but that was only at the instance of the father of the deceased as the father had nominated the petitioner as the local guardian of the deceased. This ought not to be read, it has been



argued, as an abetment to commit suicide.

Regard being had to the nature of accusation against the petitioner and his period of custody, he is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saharsa in connection with Saharsa Sadar P. S. Case No. 511 of 2020.

The petition stands allowed.

(Ashutosh Kumar, J)

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