

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34111 of 2020

Arising Out of PS. Case No.-488 Year-2019 Thana- SIKARPUR District- West Champaran

SHIV MANGAL CHAUDHARY @ SHEOMANGAL CHAUDHARY S/o
Patiram Chaudhary R/o Village- Dhobaha, P.S.- Shikarpur, District- West
Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 23-12-2020 Heard Mr. Bimlesh Kumar Pandey, learned counsel
appearing on behalf of the petitioner and Mr. Humanyou Ahmad
Khan, learned Additional Public Prosecutor, for the State of
Bihar.

This application for grant of regular bail arises out of
Shikarpur P.S. Case No. 488 of 2019, registered for the offence
punishable under Sections 302, 306/34 of the Indian Penal
Code.

The petitioner is the husband of the deceased. The
brother of the deceased is the informant. The deceased was
married to the petitioner more than eight years before the date of
occurrence. The deceased died in her matrimonial home. The
petitioner and his family members came to be implicated mainly
on the basis of suspicion.



Learned counsel appearing on behalf of the petitioner has referred to the statement made in paragraph 9 of this application that the police, upon completion of investigation, has submitted charge-sheet under Section 306 of the Indian Penal Code. He contends that there is no material to suggest that the petitioner abated commission of suicide.

Considering the circumstance that charge-sheet has been submitted under Section 306 of the Indian Penal Code and the submission that there is no material to indicate any element of abatement by the petitioner of commission of suicide, this application is allowed.

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 learned C.J.M., Bettiah, West Champaran, in Shikarpur P.S. Case No. 488 of 2019.

It is directed that the defect(s) in the application, pointed out by the Registry, must be removed within two months.

Since COVID-19 pandemic situation is prevailing, 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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