

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70284 of 2019

Arising Out of PS. Case No.-93 Year-2019 Thana- MAHESI District- East Champaran

Sudhir Sahani Son of Suresh Sahani, Resident of Village - Chauriya
Hasanpur, O.P. Jai Bajrang, P.S.- Mehasi, District - East Champaran.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr.Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 24-01-2020 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Mehsi Jai Bajrang O.P. P.S. Case No. 93 of 2019 registered for the offences punishable under Sections 302/120(B) of the Indian Penal Code, however, charge-sheet has been submitted under Sections 306/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the marriage between the petitioner and the deceased had taken place about 10 years back in the year 2009 and out of the said wedlock they had two children. In course of investigation it has come that they had not good relationship but there is no specific allegation that immediately before the deceased committed suicide the petitioner had committed any act abating her suicide.



Learned A.P.P. for the State has after going through the case diary though opposed the prayer for regular bail of the petitioner but accepts that in the case diary though witnesses have stated that there was no cordial relationship between them but immediate cause of suicide has not been said to be any act of torture by this petitioner.

Considering the facts and circumstances of the case, the duration of the marriage between the parties and that there is no material to show immediate cause of abatement being any act of torture or cruelty by this petitioner, this Court directs release of the petitioner above named on bail in connection with Mehshi Jai Bajrang O.P. P.S. Case No. 93 of 2019 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Motihari, East Champaran, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and



(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

vats/ved

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