

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32412 of 2020

Arising Out of PS. Case No.-187 Year-2020 Thana- LALGANJ District- Vaishali

MD. SOHAIL AHMAD @ SUHAIL AHMAD, Son of Moizuddin Ahmad
Resident of Village - Pojhiyan, P.O.and P.S. - Lalganj, Dist. - Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Soni
For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 05-04-2021 Heard Mr. Mukesh Kumar Jha, learned counsel

for the petitioner and Mr. Ram Priya Sharan Singh,

learned APP for the State.

The petitioner, who is the husband of the deceased, seeks bail in anticipation of his arrest in connection with Lalganj P. S. Case No. 187 of 2020, dated 01.07.2020, instituted for the offences under Sections 302, 120(B) and 34 of the Indian Penal Code.

The petitioner was married with the deceased about eight years ago and out of the wedlock, children were born.

The learned counsel for the petitioner submits



that the deceased committed suicide. After the death, the informant has narrated story of torture to the deceased prior to her death which is not correct.

It has further been submitted that one of the daughters of the deceased has made a categorical statement before the police that on the date when the deceased hung herself from the ceiling fan, her father, who is the petitioner in the present case, was not available in the house; rather was posted outside as CDPO. She has further submitted that on that day her mother had got up late in the morning and had asked her and her brother to go to their grandfather. In the meantime, she bolted the door from inside and hung herself. Such statement has been made by other persons also whose statements have been recorded during the course of investigation. Even the place of occurrence indicates, it has been argued, that the deceased had closed her room from inside and had committed suicide.

Regard being had to the afore-stated facts, viz



that the deceased had committed suicide after closing the room from inside and the absence of the petitioner from his house on the date of the occurrence, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing fresh 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, Vaishali at Hajipur, in connection with Lalganj P. S. Case No. 187 of 2020, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

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