

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5223 of 2021

Arising Out of PS. Case No.-198 Year-2020 Thana- GHORASAHAN District- East
Champaran

SIKANDAR RAY @ SIKANDAR KUMAR S/o Dakhai Rai R/o village-
Belajitpur, P.S.- Jitana, District- East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. N. N. Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 14-09-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

The petitioner is apprehending his arrest in a case
registered under Sections 302/34 of the Indian Penal Code.

The prosecution allegation, in short, is that the police
got information that owing to family dispute, the victim
committed suicide.

It has been submitted on behalf of the petitioner that
the petitioner has got no criminal antecedent. There is no
allegation of tampering of witnesses alleged against the
petitioner. The petitioner has been made accused due to mistake
of fact. From perusal of paragraph Nos. 80 and 81 of the Case
Diary, it is evident that the deceased was mentally ill and she



has committed suicide. Hence, in the aforesaid facts, no offence under Section 302 IPC is made out against the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned S.D.J.M., Sikrahna at Dhaka, East Champaran at Motihari in connection with Ghorasahan (Jitna) P.S. Case No. 198/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the Court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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