

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17338 of 2021

Arising Out of PS. Case No.-849 Year-2020 Thana- FORBESGANJ District- Araria

RAKESH SAH @ RAKESH KUMAR SAH S/o Jageshwar Sah Resident of
Village- Aurahi West Simraha, Ward No.02, P.S.- Forbesganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Anil Prasad Singh, Advocate
For the Opposite Party : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 28-01-2022 Heard learned counsel for the parties through video conferencing.

This application for anticipatory bail arises out of Forbesganj (Simraha) P.S. Case No. 849 of 2020 for the offence under Section 306 of the Indian Penal Code.

Considered the submissions of the parties.

The deceased committed suicide because the petitioner was having illicit relation with the wife of the deceased while the deceased had gone away outside the State for earning his livelihood.

This is a serious case and the allegations are serious. Considering the recent judgment of Hon'ble Supreme Court rendered in *Criminal Appeal No.95 of 2022 (Sunil Kumar vs. State of Bihar)*, I am not inclined to grant



anticipatory bail to the petitioner. Accordingly, this bail application is dismissed.

The petitioner is directed to surrender before the Court below within a period of ten weeks from today and seek regular bail, if so advised. If he does so, his application for regular bail shall be considered by the learned Court below on its own merit without being prejudiced by rejection of present application for grant of anticipatory bail. The learned Court below shall also try to dispose of the application for regular bail on the same day.

With the aforesaid observations and directions, this bail application is dismissed.

(Sandeep Kumar, J)

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