

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21316 of 2022

Arising Out of PS. Case No.-54 Year-2021 Thana- DERNI BAZAR District- Saran

Mithilesh Manjhi Son of Jaleshwar Manjhi Resident of Village - Pojhi, P.S.-
Derni, Distt.- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar, Advocate
For the State	:	Ms. Rina Sinha, APP
For the Informant	:	Mr. Radha Mohan Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 02-09-2022 Heard learned counsel appearing on behalf of the petitioner, learned APP appearing on behalf of the State and learned counsel for the informant through virtual Court proceedings.

Let the defect(s), if any, be removed within a period of four weeks from today.

The petitioner seeks bail in connection with Derni P.S. Case No. 54 of 2021 registered for the offence under Sections 306 and 34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in custody since 22.12.2021.

The allegation against the petitioner is to abet the daughter of the informant to commit suicide.



Learned counsel appearing on behalf of the petitioner submitted that there is nothing appears during the course of investigation, which may suggest that act of petitioner can be said an active or direct, leading to commit suicide by the deceased/wife, being left with no option. It is submitted that the entire allegation is based upon suspicion, as even, the name of the girl with whom, petitioner was alleged to be in extramarital affairs, was not disclosed. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP duly assisted by learned counsel for the informant, while opposing the prayer of bail, submitted that petitioner is the husband of the deceased, but fairly conceded that allegation of extramarital affairs is with unknown girl, while working in an orchestra, as per F.I.R.

In view of the facts and circumstances, as mentioned above, as nothing appears, which suggests that petitioner abet the deceased to commit suicide, where allegation is based merely on suspicion, to have an extramarital relation with unknown female co-worker coupled with the fact that



chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Derni P.S. Case No. 54 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Saran at Chapra/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ankit/-

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