

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23922 of 2022

Arising Out of PS. Case No.-778 Year-2021 Thana- SAHARSA SADAR District- Saharsa

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Mili Kumari S/O Santoshanand Jha @ Tuntun Jha R/o village- Mohanpur,
P.S.- Simari Bakhtiyarpur, Balba Ghat O.P., District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhaneshwar Prasad Gupta

For the Opposite Party/s : Mr.Vinod Shanker Modi

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 14-12-2022 Heard learned counsel for the petitioner, informant
and the State.

Petitioner apprehends arrest in a case registered for
the offence punishable under Sections 306/34 of Indian Penal
Code.

As per prosecution case, this petitioner along with
other accused persons and 3-4 unknown persons assaulted the
son of the informant. During treatment this petitioner was
present with him. It is further alleged that in the intervening
night of 21.06.2021 all the accused persons mentally harassed
and threatened son of the informant on phone due to which he
committed suicide by shooting himself.

It is submitted that there is no allegation of active or
any direct act leading the deceased to commit suicide. F.I.R has
been lodged after four months of the alleged occurrence which
itself creates doubt about the prosecution story. Petitioner has
got clean antecedent.



Learned counsel for the informant vehemently opposes the prayer for bail application submitting that deceased was in love with this petitioner and because of the harassment meted out to the deceased by the petitioner he committed suicide.

Considering the facts and circumstances, delay in lodging the F.I.R. and materials on record, let the above named petitioner in the event of her arrest/surrender before the court below within a period of thirty days from the date of receipt/production of copy of this order, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Saharsa in Saharsa Sadar P. S. Case No. 778 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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