

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27615 of 2022

Arising Out of PS. Case No.-234 Year-2021 Thana- BUDDHACOLONY District- Patna

MANISH KUMAR S/o Jagat Singh Resident of Mohalla- Police Line, Police
Station- Budha Colony, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Lakshmi Kant Sharma, Advocate

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 24-08-2022 Heard learned Senior Counsel duly assisted by Ms.

Kshama Sharma, Advocate and learned counsel for the

informant as also Mr. Bharat Bhushan who represents the State.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The case is registered under section 306 of the
Indian Penal Code in connection with Budha Colony P.S. Case
No. 234 of 2021.

As per the FIR, the informant has alleged that his
son used to live away from them with his wife but they were
always quarreling and the daughter-in-law was also supported
by her parents who sometime assaulted the deceased too. On the
fateful day, it is alleged that an information was given to the
parents that the son has committed suicide.



Learned counsel for the petitioner submits that the petitioner is brother-in-law (Sala) and has nothing to do either with the quarrel between the couple and or the alleged suicide. It is further submitted that a bare perusal of the FIR shows that the deceased had committed suicide and a case has been registered therein and those who have been implicated will ultimately have to face the trial. However, it is submitted that despite the fact that he has no criminal antecedent, is in jail since 22.1.2022 (as stated in para-12 of the bail application).

The learned APP on the other hand submits that it is a case of suicide and allegation is on the wife and her family members.

Taking into account the aforesaid facts that the petitioner is brother-in-law, is in jail since 22.1.2022, has no criminal antecedent and ultimately he has to face the trial, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of Additional Chief Judicial Magistrate-II, Patna, in connection with Buddha Colony P.S. Case No. 234 of 2021 subject to the following conditions:

- (i) one of the bailors should be the family members of



the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

With the aforesaid observations, the bail application is allowed.

Before parting, this Court would like to record its words of appreciation for Ms. Kshama Sharma for her proper assistance in the matter.

(Rajiv Roy, J)

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