

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31592 of 2022

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

Munni Devi Wife Of Hemant Prasad Gupta R/O- Vill- Simraha, Ward No.- 2,
P.S.- Simraha, Dist.- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Kumar Singh, Advocate
For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 30-08-2022 The learned counsel for the petitioner is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks regular bail in connection with Forbesganj (Simraha) P.S. Case No.849 of 2020 registered for the offence under Section 306 of the Indian Penal Code.

As per the allegation, the petitioner's husband committed suicide on account of his wife, who is here petitioner, having solemnized marriage with another person namely Rakesh Sah and the said act of his wife is alleged to have abated the deceased to commit suicide.

The main submissions advanced by the learned



counsel Mr. Kundan Kumar Singh for the petitioner are that the allegation made in the FIR is totally false, in fact the deceased had been neglecting the petitioner and his three sons for many years and the deceased did not return back from his workplace at the petitioner's home to take care of petitioner and her children and no financial help was being given by him to the petitioner and the allegation of abating the deceased for suicide is completely false as the petitioner has not contracted second marriage. Further submission is that the petitioner is a woman and has been languishing in jail since 27th January,2022.

Learned APP Mr. Nitya Nand Tiwary appearing for the State has opposed the bail prayer.

Heard both the sides and perused the FIR. The present case relates to suicide of petitioner's husband and according to the prosecution, the petitioner who happens to be wife of the deceased solemnized second marriage with another person namely Rakesh Sah and left the deceased's house after having taken ornaments and other households and the alleged act of the petitioner abated the deceased to commit suicide. Though the said allegation made against the petitioner in the FIR is serious in nature but considering the fact that as per the above submissions there are three sons of this petitioner and she is a



woman and she has denied the allegation of her second marriage, in the opinion of this Court a lenient approach can be taken in respect of the petitioner’s prayer, let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Forbisganj (Simraha) P.S. Case No.849 of 2020.

(Shailendra Singh, J.)

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