

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.39948 of 2021**

Arising Out of PS. Case No.-143 Year-2020 Thana- ASHOK PAPER MILL District-  
Darbhanga

VIKRAM SADA Son of Late Amrit Sada Resident of Village - Chikni, P.S.-  
Ashook Paper Mill, District - Darbhanga (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Ms. Shama Sinha, Advocate

For the Opposite Party/s : Ms. Sharda Kumari, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA  
ORAL ORDER**

2      11-01-2022                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State through virtual court proceedings.

Let the defect(s), if any, be removed within a period  
of four weeks after complete start of the physical Court.

The petitioner seeks regular bail in connection with  
S.T. No. 18 of 2021 arising out of CRI-2405 of 2020 arising out  
of A.P.M. P.S. Case No. 143 of 2020 instituted for the offences  
punishable under Sections 304B/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the  
petitioner is in custody since 15.08.2020, is a person with clean  
antecedent, charge-sheet has been submitted and charges have  
been framed in this case.

Learned counsel for the petitioner at the very outset  
submits that the marriage was 12 years old, as such, no offence



under Section 304(B) of the Indian Penal Code is made out. Learned counsel further submits that the deceased was suffering from some mental disorder on account of which she used to frequently go back to her parents' place and the parents used to send her back to her matrimonial home where she was not able to adjust. Learned counsel further submits that in the FIR, it is alleged that the petitioner was having relationship with his Bhabhi on account of which the deceased was killed by hanging.

Learned counsel for the petitioner submits that since 12 years, the petitioner has stayed with the deceased and in those 12 years no complaint was made ever against him. It was because of the fact that the deceased was suffering from mental depression that she committed suicide by hanging as her parents used to send her back to her matrimonial home and she was harboring an impression that the petitioner is having an affair with his Bhabhi when the said fact was incorrect.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 15.08.2020, charge-sheet has been submitted, charges have been framed in this case and the marriage was 12 years old



let the petitioner above named be released on bail on furnishing  
bail bond of Rs.10,000/- (Rupees Ten Thousand) with two  
sureties of the like amount each to the satisfaction of learned  
Additional Sessions Judge-X, Darbhanga in connection with  
S.T. No. 18 of 2021 arising out of CRI-2405 of 2020 arising out  
of A.P.M. P.S. Case No. 143 of 2020.

**(Satyavrat Verma, J)**

Kundan/-

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