

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34285 of 2022

Arising Out of PS. Case No.-47 Year-2022 Thana- BAUNSI District- Banka

Mukesh Tanti @ Dugdugi Tanti Son Of Gobardhan Tanti Resident Of Village-
Ghuthiya, Police Station- Bounsi, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Mukherjee, Advocate
	:	Mr. Ganesh Sharma, Advocate
For the Opposite Party/s	:	Mr. Binod Kumar No.3, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 12-09-2022 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
Baunsi P.S. Case No.47 of 2022 registered for the offence
punishable under Section 306 of the Indian Penal Code.

Allegedly, the minor daughter of the informant
committed suicide. It is further alleged that prior to committing
suicide the deceased talked to the petitioner who abetted her to
commit suicide.

The main submissions advanced by the learned



counsel Mr. Ajay Mukherjee for the petitioner are that the petitioner has clean antecedent and has been languishing in jail since 03rd March, 2022 and the allegation made in the FIR does not fall under the purview of any type of abetment, in actual the deceased fell in love with this petitioner and deceased's love was one sided and when the petitioner did not agree to the said love relation then the deceased committed suicide and as per the postmortem report of the deceased, the cause of death of the deceased has been opined due to hanging and no injury on her body was found by the doctor concerned.

Learned APP Mr. Binod Kumar No.3 appearing for the State has opposed the bail prayer.

Having regard to the facts of this case and mainly taking into account the fact that the present case relates to suicide committed by the deceased in the effect of alleged abetment committed by this petitioner but the FIR does not go to show the petitioner's direct role in instigating the deceased to commit the suicide and simply due to conversation made by the deceased with this petitioner through mobile phone just before the death of the deceased, the petitioner cannot held to be liable to the suicide and moreover petitioner has clean antecedent and he has been languishing in jail since 03.03.2022 and against him



the investigation has been completed and his case appears to be at the initial stage of trial, 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 Baunsi P.S. Case No.47 of 2022.

(Shailendra Singh, J.)

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