

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35365 of 2022

Arising Out of PS. Case No.-74 Year-2020 Thana- KANHAILI District- Sitamarhi

ASHOK KUMAR SAH @ ASHOK SAH Son of Shankar Sah Resident of
village - Dhanha, P.S.- Bela, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh, Adv.

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 19-12-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in a case registered for
offence punishable u/s 498A, 302/34 of the IPC.

Allegedly, in-laws of informant's daughter killed her.

It is submitted by learned counsel for the petitioner that
petitioner is brother-in-law of the husband of the deceased. He is
quite innocent and has committed no offence. He has been falsely
implicated in this case. No such occurrence, in the manner as
alleged, has ever taken place. It is further submitted that since the
present petitioner is brother-in-law of the husband of the deceased,
he has got no concern with the family affairs of the deceased and
her husband. The petitioner and informant both are the co-villagers
and on the date of occurrence, the petitioner was present at his
native village but due to enmity, the informant also dragged the



name of petitioner. He further submits that after investigation, the police submitted charge-sheet against the co-accused u/s 498A, 306/34 of the Indian Penal Code and the investigation is pending against the petitioner though the FIR was lodged u/s 498A, 302/34 of the Indian Penal Code. From the aforesaid facts, it is evidently clear that it is not the case of murder of the deceased rather it is a case that the deceased herself committed suicide in depression. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Kanhauli P.S. Case No.74 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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