

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46542 of 2021

Arising Out of PS. Case No.-171 Year-2020 Thana- KARAHGAR District- Rohtas

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1. BRIJ MOHAN SINGH @ BRIJ MOHAN S/O LATE SUDARSHAN SINGH R/o village- Soni, P.S.- Kargahar, District- Rohtas
 2. RAVI KANT SINGH @ RAVI S/O BRIJ MOHAN SINGH @ BRIJ MOHAN R/o village- Soni, P.S.- Kargahar, District- Rohtas

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mithilesh Kumar Singh

For the Opposite Party/s : Mr.Anita Kumari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-01-2022 Heard the learned counsel for the petitioners and the learned APP for the State, through Video Conferencing.

The petitioners seek bail in connection with Kargahar P.S. Case No. 171 of 2020, instituted for the offences under Section 306/34 of the Indian Penal Code.

The learned counsel for the petitioners submits that the petitioner is in custody since 03.03.2021, he is a person with clean antecedent, charge-sheet has been submitted in this case.

The learned counsel for the petitioners submits that from perusal of the allegation as alleged in the F.I.R., it would manifest that the informant Ram Pyari Devi alleges that on 09.06.2020 in between 10-11 A.M. due to partition of land, a

scuffle took place between the brothers of her husband, namely Brij Mohan Singh, Alok Singh and Usha Devi and Geeta Devi and Jagmohan Singh. Further, on 12.06.2020, the informant was informed by villagers that her husband had fallen unconscious near Kali Temple of the village and had asked them to inform the family that he had taken poison, thereafter, it is alleged that informant brought her husband to hospital for treatment and doctor referred him to NMCH, Jamuhar for better treatment where during the course of treatment, her husband died. Accordingly, it is alleged that the husband committed suicide because of the occurrence which took place on 09.06.2020 amongst the brothers with respect to partition of property due to which the husband took poison and died during the course of treatment.

The learned counsel for the petitioners submits that from perusal of the allegation as alleged in the FIR, it would manifest that the informant herself alleges that on account of property dispute, there was a scuffle amongst the brothers and her husband on account of which the husband consumed poison and died during the course of treatment. It is submitted that merely because there was a family dispute and out of frustration, the husband of the informant committed suicide

does not in any manner suggest that the petitioner was responsible for the deceased to commit suicide.

Learned A.P.P. opposes the bail application.

Considering the fact that the petitioners are in custody since 03.03.2021, are a person with clean antecedent, charge-sheet has been submitted in this case and admittedly the deceased died after consuming poison on account of property dispute in the family, the petitioners, above-named, are directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Sasaram at Rohtas, in connection with Kargahar P.S. Case No. 171 of 2020.

The application stands allowed.

(Satyavrat Verma, J)

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