

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37365 of 2022

Arising Out of PS. Case No.-178 Year-2021 Thana- BELA District- Sitamarhi

DUKHA RAI S/O SHIVJEE RAI Resident of Village- Basatpur, P.S.-
Sonbarsa, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Jha, Advocate
For the Opposite Party/s : Ms.Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 27-09-2022 Heard Mr. Dinesh Jha, learned counsel for the
petitioner and Ms. Gulnar Begum who represents the State.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The case is registered under Sections 302, 201/34 of
the Indian Penal Code, in connection with Bela P.S. Case No.
178 of 2021.

As per the prosecution story, the petitioner's daughter
had solemnized love marriage with the deceased which was not
accepted by the petitioner. It seems that the boy was depressed
and on the fateful day, his body was found hanging from a tree.
Accordingly, the father of the deceased lodged FIR implicating
the family members of the petitioner.

Learned counsel for the petitioner submits that since it



was a love marriage and was not accepted by him and that may have been reason for his son-in-law to commit suicide. The family had no role to play in his alleged death. It is his further submission that the police has investigated the matter and submitted charge-sheet under Section 306/34 of the Indian Penal Code vide charge-sheet No. 178 of 2022 dated 31.5.2022.

Per contra, learned APP submits that the life of a young boy has come to an end and the petitioner being the father-in-law and cannot exonerate himself of the charges.

Be that as it may, the police had investigated the matter and submitted charge-sheet under Section 306/34 of the IPC, he is in custody since 16.4.2022, has no criminal antecedent and ultimately he has to face the trial, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned S.D.J.M., Sitamarhi (Sadar), in connection with Bela P.S. Case No. 178 of 2021 subject to the following conditions:

(i) one of the bailors should be the family members of the petitioner, who shall provide official document to show his/her bona fide;



(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Ravi/Ajay Singh

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