

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48375 of 2021**

Arising Out of PS. Case No.-374 Year-2020 Thana- GAYA KOTWALI District- Gaya

RAJU @ GAUTAM @ RAJU KUMAR Son of Amrit Yadav @ Amrit Prasad
Yadav Resident of Village - Gola Bagicha - Gabda, P.S.- Kotwali, Distt.-
Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

3 28-04-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with
Kotwali P.S. Case No. 374 of 2020 registered for the offences
punishable under Sections 302/34 of the Indian Penal Code
1860, but charge sheet has been submitted under Section 306/34
of the Indian Penal Code by the Police.

The allegation, as per the First Information Report, is
that the petitioner and other accused persons tortured and killed
the daughter of the informant due to non-fulfillment of demand
of money. The marriage was solemnized in the year 2008.

Learned counsel for the petitioner submits that
petitioner is husband of the deceased and she has committed



suicide. He further submits that after suicide committed by the informant's daughter, the entire family members of the petitioner have been implicated in this case. Further submission is that in fact, the father of the petitioner has constructed a house separate from the ancestral house in which the family members were residing and the deceased wanted to shift in the new house along with the petitioner and her two children which was not allowed by the family members, due to which, she has committed suicide. The statement of children aged about 11 years and 9 years were recorded under Section 161 Cr. P.C. on the date of occurrence and their statement was subsequently recorded under Section 164 Cr. P.C. in which they have not supported the prosecution story and have stated that their mother has committed suicide.

Referring to Annexure-3 learned counsel for the petitioner submits that the Police after investigation has submitted charge sheet under Section 306 of the Indian Penal Code.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that after investigation the Police has submitted charge sheet under Section 306 of the Indian Penal Code and the



children of the deceased in their statement have stated that their mother has committed suicide, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya, in connection with Kotwali P.S. Case No. 374 of 2020.

(Anil Kumar Sinha, J)

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