

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51776 of 2021

Arising Out of PS. Case No.-46 Year-2021 Thana- JADOPUR District- Gopalganj

Munna Prasad Son of Late Rameshwar Prasad Resident of Village - Jadopur
Shukla, P.S.- Jadopur, Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vishwajeet Kumar Mishra, Advocate

For the Opposite Party/s : Ms.Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 03-03-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with
Gopalganj Jadopur P.S. Case No. 46 of 2021 instituted for the
offences under Sections 302 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 16.07.2021, is a person with clean
antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that the
informant alleges that on the date of occurrence neither the
informant nor his mother was present in the house and his father
was alone in the house, which is a joint family property and a
dispute is going on with regard to the property. It is further
alleged that when his mother came back home she saw the



petitioner (uncle of the informant), her mother-in-law (grandmother of the informant) and Pushpa Devi, wife of the petitioner were coming out of the room of informant's father and when she entered the room, she saw her husband hanging, accordingly on the basis of suspicion it is alleged that petitioner along with named accused persons connived and committed murder of the deceased for property.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated and there was a dispute regarding property including the dwelling house, further the deceased was a drunkard and was under pressure of loan and as a result of which, in absence of his family members committed suicide and the informant took this as an opportunity to falsely implicate the petitioner along with his grandmother and aunt in order to create pressure so that the property comes in his share or he is able to coerce them into submission. Learned counsel further submits that as per allegation even it does not appear probable that the petitioner along with two lady would have been in a position to hang the deceased from the ceiling.

In this case, the case diary was called for, the same has been received and from perusal of the case diary, the learned A.P.P. submits that the cause of death is asphyxia due to



hanging.

Learned counsel for the petitioner thus submits that since the deceased had incurred loan and was a drunkard as such out of shame, he committed suicide.

Be that as it may, considering the fact that the petitioner is in custody since 16.07.2021, charge-sheet has been submitted in the case, petitioner is a person with clean antecedent and taking into consideration the submissions of the learned counsel for the petitioner, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Gopalganj in connection with Gopalganj Jadopur P.S. Case No. 46 of 2021.

(Satyavrat Verma, J)

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