

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44180 of 2022

Arising Out of PS. Case No.-35 Year-2022 Thana- GOPALPUR District- West Champaran

Lalan Sah S/o- Keshav Sah Resident of Village - Kavilaswa, P.S.- Gopalpur,
District - West champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Advocate
For the State : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 25-11-2022 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State

through virtual Court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Gopalpur
P.S. Case No. 35 of 2022 registered for the offence under
Section 306 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 26.05.2022.

The allegation against the petitioner is to abet the son
of the informant for committing suicide.

Learned counsel appearing on behalf of the petitioner
submitted that deceased himself addicted to different drugs and,



for the said reason only, a blood stained syringe alongwith 'Ganja' and a bottle of Phensedyl cough syrup was found alongwith the dead body. It is submitted that due to frustration, arises out of drug addiction and financial liability, son of the informant committed suicide, which is also apparent from his suicide note. It is submitted that no incrimination can be gathered from the contents of the suicide note against the petitioner. It is also submitted that contents of the F.I.R. only raised a suspicion against this petitioner, whereas nothing incriminating surfaced/recovered during the course of investigation, which may suggest that the act of the petitioner was so active or direct, leading the deceased to commit suicide, being left with no option. While concluding the argument, it is submitted that investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State opposes the prayer of bail.

In view of the facts and circumstances, as mentioned above, as the act of petitioner not appears to so active or direct, leading the deceased to commit suicide coupled with the fact that chargesheet has been submitted, let the petitioner, above



named, is directed to be released on bail in connection with Gopalpur P.S. Case No. 35 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Bettiah, West Champaran/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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