

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11443 of 2021

Arising Out of PS. Case No.-334 Year-2020 Thana- JAKKANPUR District- Patna

Radheshyam Dubey @ Radheshyam Pandey, aged about 55 years, male, Son of Rajeshwari Pandey Dubey, Resident of Jaiprakash Nagar, Jakkanpur, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Raju Upadhyay, Resident of Village - Brah, Thana - Rani Talab, Kanpa, District - Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajeev Roy, Sr. Adv. Mr. Rajendra Nath Sinha, Adv.
For the O.P. No. 2	:	Mr. Mrityunjay Kumar Gautam, Adv.
For the State	:	Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

4 04-03-2022 Heard the counsel for the parties.

The petitioner seeks bail in anticipation of his arrest in connection with Jakkanpur P.S. Case No. 334 of 2020, dated 19.07.2020, instituted for the offence under Section 306 of the Indian Penal Code.

The wife of the petitioner committed suicide for which the subject F.I.R. was instituted.

The informant had suspected that because of the ill-treatment meted out to his sister, she had consumed poison, which led to her death.



It was urged on behalf of the petitioner that even assuming the aforesaid fact to be absolutely true, he cannot be saddled with the allegation of abetting the commission of such suicide.

No definite material could be collected during the course of investigation in order to bring home the charge of abetment to commit suicide.

Mr. Mrityunjaya Kumar Gautam, the learned counsel for the informant/opposite party No. 2 has submitted that he has been instructed that the informant does not now wish to prosecute the petitioner any further after he has come to know about the correct state of facts.

Considering the afore-noted facts, the provisional bail granted to the petitioner *vide* order dated 22.12.2021 is, hereby, confirmed. He shall remain on the same bail-bonds.

The application stands allowed accordingly.

(Ashutosh Kumar, J)

Praveen-II/-

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