

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7591 of 2021

In
CRIMINAL MISCELLANEOUS No.519 of 2020

Arising Out of PS. Case No.-208 Year-2020 Thana- AURANGABAD TOWN District-
Aurangabad

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CHITRA SINGH WIFE OF LATE SANTOSH KUMAR SINGH RESIDENT
OF VILLAGE- GOSALDIH, P.O.- RAJBARIA, P.S.- NABINAGAR,
DISTT.- AURANGABAD. AT PRESENT RESIDENT OF MOHALLA-
BEHIND OF MART WARD No.-5, P.S.- AURANGABAD (TOWN),
DISTT.- AURANGABAD.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Ranjit Kumar
For the Opposite Party/s :	Mr. J.N.Thakur
	Mr.Yogendra Kumar Singh
	Ms Nitu Kumari
	Mr.Ratneshwar Prasad

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 07-04-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard the learned counsel for the petitioner and

learned APP for the State, assisted by learned counsel for the

informant.

The petitioner apprehends her arrest for the

offences alleged under Section 306 of the Indian Penal Code,

registered in connection with Aurangabad (Town) P.S.Case No.

208 of 2020.



The present case has been registered under Section 306 of the Indian Penal Code. The informant is the father of Santosh Kumar Singh, the deceased. As per the written report, the marriage of the deceased was solemnized 17-18 years ago with the petitioner. There was no cordial relation between the couple and they used to quarrel. The deceased was also not residing with the informant. It has also been mentioned in the written report that the petitioner had some connection with the anti-social elements. On 28.06.2020, one Suresh Singh informed the informant that the mobile phone of the deceased was in switched off mode and for the last two-three days he was not coming to the city. The informant went to the house of the deceased and found the gate locked from inside. When he entered into his room from boundary side, he saw the dead-body of the deceased hanging with a ceiling fan.

The learned counsel for the petitioner has submitted that in paragraph 23 of the case diary, the investigating authority recovered a suicide note, in which it has been written that despite the deceased was maintaining his parents, wife and children, they were not with him and as such these are the reasons for his suicide. He has submitted further that prior to the occurrence, the petitioner had filed a case being Complaint Case



No. 09 of 2019 under the provisions of Protection of Women from Domestic violence Act and the deceased was ordered to pay the maintenance amount of Rs. 30,000/- to the petitioner for herself and her two minor children. He has also submitted that if someone commits suicide on account of pressure, the person whom maintenance has been granted, cannot be said to be a culprit.

On the other hand, the learned counsel for the informant has submitted that it is not a fit case for anticipatory bail. He has submitted further that it may be a case of suicide or murder, but the petitioner should be directed to surrender before the court below.

The learned APP Mr. J.N.Thakur has submitted that the injuries were found as per the post mortem report as well as the inquest report, to which the learned counsel for the petitioner has submitted that ligature mark was found and the cause of death was due to asphyxia.

Considering the facts that already some disputes were pending between the husband and wife, but there is nothing to suggest that the petitioner abetted the deceased to commit suicide.

Considering the above mentioned facts and



circumstances, let the petitioner above-named, in the event of her arrest or surrender within four weeks from the date of communication of this order, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Aurangabad (Town) P.S.Case No. 208 of 2020, subject to the conditions as laid down under Section 438(2) Cr. P.C.

Office shall ensure that all defects are removed by the petitioner within the stipulated time as provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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