

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23580 of 2023

Arising Out of PS. Case No.-247 Year-2022 Thana- DIDARGANJ District- Patna

Munna Rai @ Munna Kumar Son Of Rajendra Rai Resident Of Village-
Dharamshala Mahavir Ps- Didarganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Krishna Jha

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 31-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 498(A), 302 of the Indian Penal Code.

As per FIR the prosecution case, in brief, is that the informant's daughter (deceased) got married with the petitioner and blessed with four children from the wedlock but after marriage the petitioner along with other co-accused persons used to torture her mentally as well as physically. On 21.09.2022 the informant came to know that his daughter has been killed by them by means of pushing her neck/by hanging.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence.



Petitioner is the husband of the deceased and he has been falsely implicated in this case. There is no prior complain/information regarding torture, misbehave and harassment made by the petitioner. No one is the eye witness of the alleged occurrence. It is further submitted in para 10 of the petition that daughter of the informant did not want to live in a joint family and she was putting pressure upon her husband to live separately but her husband was not ready for that due to which altercation takes place day to day and on the alleged date and time, some altercation took place on same point as a result of which she committed suicide by hanging herself and information was given by the husband of the deceased to her family members. It is case of hanging and in post-mortem report, doctor opined that cause of death is due to asphyxia by hanging and injury of ligature mark was found on neck of the deceased. It is also submitted that presently informant has no grievance against the petitioner. Vide para 52 of the case diary, one witness supported the fact that the deceased died due to hanging. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. It is further submitted that petitioner is languishing in judicial custody since 23.11.2022.

Learned APP appearing for the State has vehemently



opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Didarganj P.S. Case No.247 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 the learned J.M. 1st Class, Patna City.

(Sunil Kumar Panwar, J)

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