

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23500 of 2023

Arising Out of PS. Case No.-696 Year-2020 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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1. Sarita Jain Wife Of Late Nitish Jain @ Mantu Resident Of Mohalla, Near Sbi Ramnagar Branch, P.S. - Ram Nagar, Distt. - West Champaran And At Present Mohalla Purani Gudri Road, Bhawani Singh Marg, P.S. - Town, Distt. - Muzaffarpur, Pin Code - 842002
 2. Girish Sarraf @ Giish Sarraf Son Of Pawan Sarraf Resident Of Mohalla - Purani Gudri Road, Bhawani Singh Marg, P.S. - Town, Distt. - Muzaffarpur, Pin Code - 842002

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rohit Mishra

For the Opposite Party/s : Mr.Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-06-2023 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 306, 34 of the Indian Penal Code.

As per the prosecution case, brother of informant namely, Nitish Jain was married with Sarita Jain (petitioner no. 1) about five years ago. After six months of the marriage, mental condition of Sarita Jain (petitioner no. 1) started deteriorating, as a result of which brother of informant was living at his sasural and doing business. On 26.10.2020, Pawan Saraf informed him on phone that due to electric shock



condition of his brother was serious on that information, he and his relatives came at the house of Pawan Saraf and found the dead body in burnt condition of his brother and other articles in the room were also found burnt. It is further alleged that informant's brother did not want to live at his sasural, but under pressure of his in-laws he used to live there. It is alleged that due to pressure exerted by the accused persons his brother committed suicide by setting himself on fire.

It is submitted that petitioner no. 1 is wife and petitioner no. 2 is brother-in-law of the deceased. Petitioners are innocent and have committed no offence. As a matter of fact, petitioner no. 1 was being harassed and tortured by the informant and her in-laws and for that she filed a complaint vide Complaint No. 3340 of 2018 in the Court of Chief Judicial Magistrate, Muzaffarpur against her husband and other in-laws. The matter was compromised on intervention by the well wishers and common friends of both the families. Husband of petitioner no. 1 was unemployed, and in the compromise it was agreed between the parties that the family members of petitioner no. 1 will help in establishing, business of the husband of petitioner no. 1. When the business of the husband of petitioner no. 1 was well established and started earning profit, the



informant and others started demanding money from the husband of petitioner no. 1 and this caused stress on account of which he committed suicide. Petitioners claim clean antecedents.

Considering the facts aforesaid, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Muzaffarpur in connection with Town (East Muzaffarpur) P.S. Case No. 696 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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