

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36486 of 2023

Arising Out of PS. Case No.-616 Year-2022 Thana- JAKKANPUR District- Patna

1. Somya Roy, Daughter of Mithilesh Kumar @ Mithilesh Paswan, R/o Village - Khasmahal Gali No.- 3, P.S.- Jakkanpur, District - Patna.
2. Sunny Kumar, Son of Mithilesh Kumar @ Mithilesh Paswan, R/o Village - Khasmahal Gali No.- 3, P.S.- Jakkanpur, District - Patna.
3. Rina Devi @ Rina Kumari, Wife of Mithilesh Kumar @ Mithilesh Paswan, R/o Village - Khasmahal Gali No.- 3, P.S.- Jakkanpur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar, Advocate

For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 21-07-2023 Heard learned Counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending arrest in connection with Jakkanpur P.S. Case No.616 of 2022 lodged on 02.11.2022 for the offences punishable under Sections 306/34 of the Indian Penal Code.

3. As per the prosecution, the FIR has been lodged by the sister of the deceased to the effect that the marriage of the informant's brother took place with petitioner no.1, namely, Somya Roy. This marriage was love marriage. It is alleged that petitioner no.1 used to assault and torture her husband and she also started residing separately from her husband. All of sudden,



in the evening of the 02.11.2022, petitioner no.1 informed the informant through mobile phone that her brother has committed suicide.

4. It is submitted by learned counsel for the petitioners that the petitioners are innocent and have committed no offence. The FIR has been lodged with false and frivolous allegation. In fact, the brother of the informant has committed suicide due to frustration which itself reflects from the suicidal note of the deceased which is annexed as Annexure-2 to the bail petition. He further submits that the doctor has opined the cause of death as asphyxia resulting from antemortem ligature strangulation which itself reflects from the impugned order. He further submits that petitioner no.1 is the wife, petitioner no.2 is the brother-in-law and petitioner no.3 is the mother in law of the deceased. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

5. Learned counsel for the State opposes the prayer for bail and submits that the accusation against the petitioners are specific.

6. Considering the content of suicidal note (Annexure-2 to the bail petition), let the above named petitioners be



released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 6 weeks from today, on furnishing bail bond to the satisfaction of the learned CJM, Patna in connection with Jakkanpur P. S. Case No.616 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J)

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