

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62649 of 2023

Arising Out of PS. Case No.-579 Year-2022 Thana- KATIHAR NAGAR District- Katihar

Saket Choudhary @ Saket Kumar Choudary S/O Late Mahindra Choudhary
Village- Golaghat (Sonbarsa Lane), Ps- Tatarpur, Dist- Bhagalpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar Choudhary

For the Opposite Party/s : Mr.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 08-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 306 of the Indian Penal Code.

3. As per prosecution case, it is a case of abatement of suicide. The informant alleged that her elder brother Maheswar Chaudhary hanged himself as the petitioner threatened him to kill.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner's house is in Bhagalpur and he has been living at Golaghat (Sonbarsa Lane) with his family whereas the deceased's was living in Driver Tola. It is further submitted that



the one suicidal note was found from house of the deceased in which the deceased stated that the petitioner threatened him so, the deceased committed suicide. There is no role or intention of the petitioner in the offence. Only on the basis of suicidal note, the petitioner was made an accused. It is also submitted that the deceased was fully illiterate person so it is unbelievable that said suicidal note was written by himself. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition and languishing in judicial custody since 24.5.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period of the petitioner, this court is inclined to enlarge him on bail. The above named petitioner is directed to be released on bail in connection with Katihar Town P.S. Case No. 579 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Katihar.

(Sunil Kumar Panwar, J)

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