

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11550 of 2024

Arising Out of PS. Case No.-269 Year-2023 Thana- NAUBATPUR District- Patna

Rajesh Mochi, aged about 45 years, Male, S/O- Sudarshan Mochi, R/O-
Village- Tilakpura, P.S.- Naubatpur, Dist.- Patna.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Arvind Prasad Singh, Advocate
For the Informant	:	Mr. Rajesh Kumar, Advocate
For the State	:	Mr. Lalan Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

5 08-05-2024 This matter has been listed under the heading ‘For
Orders (on office notes)’.

2. Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

3. The petitioner seeks bail in connection with
Naubatpur P.S. Case No. 269 of 2023 dated 27.04.2023
registered for the offence punishable under Section 306 of the
I.P.C.

4. As per the prosecution case, the informant’s
daughter Shushma Devi was married to the petitioner fifteen
years ago but after marriage, she was physically and mentally



tortured by the petitioner and she was pressurized to commit suicide. It is further alleged that seven days ago, again, she was assaulted by the petitioner, due to which, she committed suicide on 26.04.2023 by consuming poisonous substance.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that there was cordial relationship between the deceased and the petitioner and the petitioner has five children. The petitioner had never tortured and assaulted his wife. It is further submitted that the deceased had taken group loan Rs. 1,50,000/- and due to the poverty, she could not pay the group loan and she always lives in tension. The petitioner always tried to pay the entire group loan but due to poverty, the petitioner could not pay the same and lastly, without saying anyone, the deceased consumed poisonous substance and she died. This fact is also evident from paragraph nos. 17 and 30 of the case diary. It is further submitted that after the death of the deceased, the petitioner gave information to his father-in-law who is the informant and without considering the real fact, he has filed the present false case against the petitioner and due to custody of the petitioner, the children are hand to mouth and are helpless. The petitioner has clean antecedent as stated in



paragraph no. 3 of the bail petition. He is in custody in this case since 28.04.2023.

6. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the bail petition of the petitioner. It is further submitted by learned counsel for the informant that in paragraph nos. 19, 25 and 43 of the case diary, the several witnesses have supported the prosecution case.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody and finding substance in the contention of the learned counsel for the petitioner, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VI, Danapur, Patna in connection with Naubatpur P.S. Case No. 269 of 2023 with further condition:-

- (i) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.



8. The application stands allowed.

(Chandra Prakash Singh, J)

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