

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20246 of 2024

Arising Out of PS. Case No.-111 Year-2023 Thana- BANGAWON District- Saharsa

Akash Kamat @ Akash Kumar S/o- Madan Kamat Village- Bangaon Ps-
bangaon Dist- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Prasad Singh

For the Opposite Party/s : Mr.Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

4 26-06-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Bangaon P.S. Case No. 111 of 2023 lodged on 19.09.2023 under
Section 304B, 120B of the Indian Penal Code.

3. As per the prosecution case, F.I.R. has been lodged
against six named accused persons including the present
petitioner with whom there is an allegation that sister of the
informant was killed by the husband along with his family
members.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that from the content of the F.I.R., it is very much
clear that this case is of suicide and not the case of murder. He



submits that from the materials which has come in the case diary also it becomes crystal clear that it is not the case of murder rather it is the case of suicide. He submits that when police reached at the place of occurrence, the gate of locked from inside so they broken the door and then only the body of the informant's daughter was brought down which was hanging in the room. Learned counsel put emphasis on the statement made in Paragraph 43 of the a person who has cut the door. In addition to that he submits that the police has collected vedio-graphy of the entire place of occurrence and he further submits that the petitioner's antecedent is clean and he is in custody since 20.09.2023. He further submits that the said suicide is not due to the torture from the petitioner's family rather this marriage was made forcefully and in this regard, the dispute has arisen between the petitioner and the deceased and about the entire event, he has filed *Sanha* before the C.J.M and S.D.M which is annexed as Annexure-2 and Annexure-3 in which the petitioner has indicated entire event much prior to filing of the present case. Counsel submits that it is due to the frustration and due to non fulfillment of the desire of the deceased by her own family members, this occurrence took place and the petitioner's family is not responsible in this case, but since the petitioner is



the husband, he has been made accused.

5. Learned APP for the State opposes the prayer for bail.

6. Upon specific query made by the counsel for the petitioner that charge has been framed in this case or not, counsel for the petitioner submits that he is not aware of this fact that charge has been framed or not.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named by granted bail after *framing of charge, if the charge is not framed yet* and on furnishing bail bonds of Rs. 30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-III at Saharsa in connection with Bangaon P.S. Case No. 111 of 2023 subject to the condition laid down under Section 437(3) of the Cr.P.C.

(Dr. Anshuman, J)

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