

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40376 of 2024

Arising Out of PS. Case No.-778 Year-2021 Thana- SAHARSA SADAR District- Saharsa

1. Binita Devi Wife of Santoshanand Jha @ Tuntun Jha R/O Village - Mohanpur, P.S.- Simri Bakhtiyarpur, Balva Hat, District - Saharsa
2. Anand Kumar Jha @ Anand Kumar Son of Santoshanand Jha @ Tuntun Jha R/O Village - Mohanpur, P.S.- Simri Bakhtiyarpur, Balva Hat, District - Saharsa
3. Santoshanand Jha @ Tuntun Jha Son of Kari Jha R/O Village - Mohanpur, P.S.- Simri Bakhtiyarpur, Balva Hat, District - Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lalbahadur Singh

For the Opposite Party/s : Mr.Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 29-11-2024 Heard learned counsel for the petitioners, informant and the State.

2. Petitioners apprehend arrest in a case registered for the offence punishable under Sections 306/34 of Indian Penal Code.

3. As per prosecution case, these petitioners along with other accused persons and 3-4 unknown persons assaulted the son of the informant. During treatment co-accused Mili Kumari was present with them. It is further alleged that in the intervening night of 21.06.2021 all the accused persons mentally harassed and threatened son of the informant on phone due to which he committed suicide by shooting himself.



4. It is submitted that there is no allegation of active or any direct act against these petitioners leading the deceased to commit suicide. They have been made accused merely because they happen to be the relative of co-accused Mili Kumari who is alleged to be in love with the deceased. F.I.R has been lodged after four months of the alleged occurrence which itself creates doubt about the prosecution story. Petitioners have got clean antecedent.

5. Learned counsel for the State and the informant vehemently oppose the prayer for bail application.

6. Considering the facts and circumstances, delay in lodging the F.I.R. and materials on record, let the above named petitioners in the event of their arrest/surrender before the court below within a period of thirty days from the date of receipt/production of copy of this order, 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 Chief Judicial Magistrate, Saharsa in Saharsa Sadar P. S. Case No. 778 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

Prakash/-

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