

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53952 of 2023

Arising Out of PS. Case No.-28 Year-2023 Thana- LAUKARIA District- West Champaran

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SANJAY KOHAR SON OF ISHWAR KOHAR RESIDENT OF VILLAGE -
BAIRIYA KHURD, P.S. - LAUKARIYA, DISTRICT - WEST
CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr.Surendra Prasad Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 30-01-2024 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

2. The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 306, 34 of the Indian
Penal Code.

3. Allegedly, petitioner is said to have instigated the
deceased to commit suicide.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. No
such occurrence as alleged ever took place. He has been falsely
implicated in this case due to ulterior motive. The allegation
levelled against the petitioner is totally false and based on
concocted facts. He has been made accused in the present case
merely on suspicion. From bare perusal of the FIR, it is evident
that there was extra martial affair of the petitioner's wife



(deceased) with co-accused Bablu Kohar and she had also gone to co-accused Bablu Kohar with proposal to marry her. Co-accused Babloo Kohar also refused to accept her and consequently, she committed suicide by hanging. It is further submitted that merely raising question against the infidelity of own wife cannot be termed as abetment to commit suicide. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

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

6. Having regard to the facts and circumstances of the case as well as considering the nature of the offence, as there is no specific overt act against the petitioner, the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Laukariya P.S. Case No. 28 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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