

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59881 of 2024

Arising Out of PS. Case No.-708 Year-2022 Thana- DIGHA District- Patna

Sanjit Kumar @ Bhola @ Sanjeet Kumar @ Bhola Son Of Bangali Ray R/V-
Village- Digha Ghat Chauhatta, P.S.- Digha, Distt.- Patna

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rakesh Narayan Singh, Adv.
For the Opposite Party/s	:	Ms. Madhuri Lata, APP
For the Informant	:	Mr. Vivekanand Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 30-08-2024 Heard learned counsel for the petitioner, informant
and learned APP for the State.

2. The petitioner seeks bail in connection with Digha
P.S. Case No. 708 of 2022 registered for the offence punishable
under Sections 304B/34 of the Indian Penal Code.

3. Petitioner is the husband of the deceased and he is
said to have killed his wife for dowry after torturing her along
with his family members.

4. Mr. Rakesh Narayan Singh, learned counsel for the
petitioner has submitted that there is no external injury on the
person of the deceased and one ligature mark has been found
which shows that the deceased was not assaulted before her
death. He further submitted that deceased herself committed



suicide due to dispute with her husband and his family members and supported by the fact that in which room the dead body was found, the gate of the room was found broken/damaged and the latch of the door from inside was also found to be damaged. It is next submitted that the sister of the deceased was in the house and she was sleeping in another room and it is not expected that the accused persons will assault and kill the deceased in presence of the younger sister of the deceased on the *Diwali* night. The petitioner is in jail since 19.01.2023.

5. Learned APP appearing for the State and learned counsel for the informant have opposed the prayer for regular bail of the petitioner and submitted that in the trial three witnesses have been examined and one witness may be examined today.

6. I have gone through the materials available on record and I am of the *prima facie* view that this may be a case of suicide and not homicide. The petitioner is in custody for more than one and a half year. The Supreme Court has reportedly held that bail is the rule and jail is exception.

7. In these circumstances, this application is **allowed**, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of



the like amount each to the satisfaction of the learned ADJ-XIX,
Patna in connection with Digha P.S. Case No. 708 of 2022.

8. The petitioner is directed to participate in the trial
and he will appear regularly on the fixed date personally so that
the trial is not delayed, if the petitioner does not appear
personally on each and every date, his bail bonds shall be
cancelled by the trial Court for violation of the conditions of this
bail.

(Sandeep Kumar, J)

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