

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58885 of 2024

Arising Out of PS. Case No.-138 Year-2016 Thana- MANJHAGARH District- Gopalganj

Seraj Alam Son Of Munir Main Village- Fulwaria Tola Rupan Chap, Ps-
Manjhagarh, Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Vaishnavi Singh, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 11-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Manjhagarh P.S. Case No. 138 of 2016 dated 09.07.2016 instituted
for the offence punishable under Section 306/34 the Indian Penal
Code.

3. The prosecution case, in short, is that on 09.07.2016
at about 1.30 pm, the informant got information that her husband
committed suicide by hanging himself. Allegation against the
petitioner and other accused persons is that they used to torture the
deceased on account of family property dispute and they also
threatened to debare the deceased from the share of his family
property. It is alleged that petitioner and other accused persons
abetted the deceased to commit suicide.



4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that the petitioner is the father of the deceased and the informant is the wife of the deceased. Learned counsel for the petitioner submits that this case has been lodged only to exploit the petitioner's family. There is no material on record to show that the petitioner in any way or manner instigated the deceased to commit suicide except of the statement made by the wife of the deceased, who is also the daughter-in-law of the petitioner. Learned counsel for the petitioner further submits that since the informant and the accused persons are relatives, i.e. the informant is the daughter-in-law, a good sense has prevailed between them and the informant has also given an affidavit stating therein that the deceased used to be depressed and his mental status was not fit. That's why he committed suicide. The informant does not want to pursue the case. Lastly, it has been submitted that petitioner has no criminal antecedents.

5. On the other hand, learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Manjhagarh P.S. Case No.



138 of 2016, he will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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