

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3960 of 2025

Arising Out of PS. Case No.-79 Year-2024 Thana- NAYA RAM NAGAR District- Munger

Gautam Kumar S/o Late Yogendra Tanti @ Late Yogendra Tati R/o Village
Chhoti Ashiqpur, P.S- East colony, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Nagendra Kumar Singh, Advocate Mr. Aashish Kumar, Advocate Mr. Anurag Saurav, Advocate
For the Opposite Party	:	Mr. Dinesh Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

6 09-07-2025 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 Section 498A, 306 and 107/34 of the Indian Penal Code.

3. The allegation in the first information report is that the informant's sister was tortured in her maternal house on account of demand of dowry. Further, it has been alleged that a divorce case was also filed on behalf of the petitioner i.e. the husband of the deceased. Further, allegation is that while the deceased was going for tuition, she was intercepted by one Sangita Devi, married sister-in-law, who hurled abuses at her due to which she came to her own paternal house and narrated



the occurrence to them. On the next morning, the deceased committed suicide by hanging herself, where-after she was taken to the doctor by the informant and others.

4. At the very outset, it is submitted by learned counsel for the petitioner that the occurrence is of 02.06.2024 but the F.I.R. was lodged on 13.06.2024 i.e. after a delay of 11 days. Further, the said incident has admittedly taken place at her *Maika*, which would be clear from the narration of the fact in the first information report. A perusal of the F.I.R. would also show that a divorce petition had already been filed by the petitioner and during the pendency of the same, the present occurrence has taken place. It would also clear from the materials collected during the course of investigation that the place of occurrence is the house of the informant and the statement of the independent witnesses do not corroborate the allegations. The first information report also reveals that the death has taken place due to asphyxia caused by hanging. It is further submitted that there is no live or proximate link between any act of the petitioner and the suicide committed by the deceased, rather in the first information report the immediate allegation is upon her sister-in-law, Sangita Devi and not upon this petitioner. It is, thus, submitted on behalf of the petitioner that no case under



Section 306 IPC is made out against the petitioner.

- 5. Learned APP for the State opposed the prayer for bail.
- 6. Taking into consideration the facts and circumstances of the case, let 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 four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten 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 Ramnagar P.S. Case No. 79 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Soni Shrivastava, J)

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