

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44461 of 2025**

Arising Out of PS. Case No.-284 Year-2024 Thana- BAHERA District- Darbhanga

Sharvan Pandit S/O Ramprasad Pandit R/O village- Ramouli, P.O.- Ramouli,
P.S- Bahera, District- Darbhanga, Bihar- 847201.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Kanchan Jha, Adv

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

3 22-08-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection with
Bahera P.S. Case No.284 of 2024 registered for the offence
punishable under Sections 103(1), 238, 61(2) of the Bhartiya
Nyaya Sanhita,2023 (for short ‘B.N.S.’).

3. The accused/petitioner is named in the FIR and is in
custody since 26.03.2025.

4. The allegation against the petitioner is to abet the
deceased to commit suicide, where deceased was the wife of
petitioner. The abetment to commit suicide was alleged to be
committed along with other family members due to non-fulfillment
of demand of dowry, where marriage admittedly took place in the



year 2009 i.e. about 15 years of the occurrence.

5. Learned counsel appearing for the petitioner submitted that petitioner is father-in-law of the deceased and during investigation, almost all witnesses said through their statement recorded under Section 180 of the Bhartiya Nagarik Suraksha Sanhita (for short 'B.N.S.S.') that the petitioner was living separately to that of deceased and her husband. They also stated that deceased committed suicide. It is submitted by learned counsel that nothing surfaced during the course of investigation, which may suggest that act of petitioner was so direct or active, which forced the deceased to commit suicide, without leaving no other option. In support of her submission, learned senior counsel relied upon the legal report of Hon'ble Supreme Court as available through **Gurucharan Singh vs. State of Punjab [(2017) 1 SCC 433]**. While concluding argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is already completed, for which, charge-sheet has been submitted and, as such, there is no chances of tampering with the evidence.

6. Learned APP duly assisted by learned counsel appearing for the informant while opposing the prayer of bail could not disputed the factual submissions as advanced by learned



counsel appearing for the petitioner but, submitted that petitioner being father-in-law actively participated in the occurrence.

7. In view of aforesaid factual submissions and by taking note of fact as nothing transpired during the investigation that act of petitioner was so direct or active which may forced deceased to commit suicide, without leaving no other option in view of the legal ratio as discussed in **Gurucharan Singh** (supra), where petitioner remains in custody since 26.03.2025, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-I, Benipur, Darbhanga in connection with Bahera P.S. Case No.284 of 2024, subject to the conditions as laid down under Section 437(3) of the CrPC/under Section 480(3) of the B.N.S.S.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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