

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53862 of 2025

Arising Out of PS. Case No.-133 Year-2025 Thana- BARARI District- Bhagalpur

Dr. Aditya Shekhar @ Aditya Shekhar son of Sri Chandra Shekhar Prasad
Village- Prashadi English P.s- Naya Arwal District -Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Thakur, Adv. Mrs. Vaishnavi Singh, Adv.
For the Opposite Party/s	:	Mr. Navin Kr. Pandey, APP
For the Informant	:	Mr. Shubham, Adv.

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 13-10-2025 Heard the parties.

2. The petitioner seeks bail in connection with Barari P.S. Case No. 133 of 2025 registered for the offence under Sections 126(2), 115(2), 77, 64, 61(2), 103(1), 352, 351(2) (3), 3(5) of the BNS.

3. The petitioner is named in the F.I.R. and is in custody since 12.05.2025.

4. The petitioner is the fourth year MBBS student of Jawahar Lal Nehru Medical College and Hospital, Bhagalpur who alleged to abet for committing suicide of daughter of the informant aged about 26 years, who was the student of B.Sc (Nursing).

5. Mr. Ajay Thakur learned counsel appearing on



behalf of the petitioner submitted that the petitioner was in affairs with deceased daughter of the informant and as during examination he could not pickup the phone of deceased she committed suicide in lodge, where she was living in Bhagalpur. It is submitted that the daughter of the informant was suffering from depression since last one year of the occurrence and in support of which Mr. Thakur referred para 61 of case diary. It is submitted that the other witnesses also during course of investigation, while recording their statement under Section 180 of BNSS supported this fact that the daughter of the informant was suffering from depression. It is submitted that immediately after knowing about the occurrence this petitioner moved to the lodge of the victim but police started to harass him at spot, therefore, he left the lodge, whereafter he was arrested with present occurrence. It is submitted by Mr. Thakur that as per the case of prosecution the petitioner was not present in the lodge with victim on the date and time of occurrence and nothing transpires during investigation in support of same. It is a case of suicide out of depression. It is also pointed out that the *post-mortem* report of the deceased daughter of the informant is suggesting that the cause of death was Asphyxia due to



hanging.

6. Arguing further, it is submitted that nothing transpired during investigation which may suggest that act of petitioner was so direct or active which may force the deceased daughter of the informant to commit suicide without leaving any other option. In support of his submission learned counsel relied upon the legal report of Hon'ble Supreme Court as available through ***Gurucharan Singh vs. State of Punjab*** reported in ***(2017) 1 SCC 433***.

7. In this context, it is further submitted by Mr. Thakur that the case was not committed to the court of Sessions for trial till now. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

8. Learned APP duly assisted by Mr. Shubham learned counsel for the informant while opposing the prayer of bail submitted that the deceased conveyed to her father some days before suicide that the petitioner was not attending her properly and forcing her to establish physical relation, she also conveyed



her father that the petitioner was intentionally delaying to solemnize marriage with her, which was the reason for developing depression and also for committing suicide by the daughter of the informant.

9. In view of aforesaid factual and legal submission and by taking note of fact as *prima-facie* nothing transpired during investigation which may suggest that act of petitioner was so direct or active which may force the deceased daughter of the informant to commit suicide without leaving any other option, coupled with fact that investigation of this case already completed, where petitioner remains in custody since 12.05.2025, accordingly petitioner above named, is directed to be released on bail in connection with Barari P.S. Case No. 133 of 2025 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Bhagalpur /concerned court, subject to the conditions as mentioned under Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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