

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4133 of 2024

Arising Out of PS. Case No.-178 Year-2024 Thana- DURAULI District- Siwan

Sonu Gupta @ Sonu Kumar @ Sonu Baniya Gupta Son of Bhola Prasad @
Bhola Gupta Resident of Village - Darauli, P.O. - Darauli, P.S. - Darauli,
District - Siwan

... .. Appellant/s

Versus

1. The State of Bihar
2. Lilawati Devi @ Gonawati Devi Wife of Birendra Gond Resident of Village
- Rampur Saraiya, P.O. and P.S. - Darauli, District - Siwan

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ranjan Kumar Dubey, Advocate
For the Respondent/s	:	Mr. Binay Krishna, SPP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 06-02-2025 Heard learned counsel for the appellant, learned Special
Public Prosecutor for the State.

2. The instant appeal has been filed by the appellant against the order dated 24-07-2024 passed by Additional Sessions Judge, 1st cum Special Judge, Siwan whereby the prayer for bail of the appellant in connection with Darauli PS Case No. 178 of 2024 under Sections 306, 504 & 506 of the Indian Penal Code and Sections 3(2)(v), 3(1)(Gha), 3(1)(Da), 3(1)(w) of SC/ST Act was rejected.

3. Prosecution case, in short, is that daughter of the informant worked as a Computer Operator for the appellant, but left due to his misconduct. Appellant allegedly blackmailed



daughter of the informant with illegal videos, threatening to ruin her reputation if she didn't marry him. He also opened an HDFC bank account in her name, used it for transactions, and later threatened her over the withdrawn money. He continuously harassed her with threats and caste based abuse. Under immense stress, daughter of the informant died by committing suicide on June 9, 2024.

4. Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. Learned counsel submits that there is nothing on record to substantiate the allegation of illegal act done by the petitioner, nor there is any photograph or video recovered even in the course of investigation. There is no eye witnesses to the alleged occurrence rather they are hearsay. It is next submitted that from the FIR itself, it would reveal that victim has left the work about two months back due to illegal behaviour, but there is no explanation that why no complaint was made at that time. Learned counsel for the appellant further submits that the appellant has not taken the caste name of the informant in public view. Hence, no offence under the provisions of SC/ST Act is made out against him. The appellant has no intention to disgrace



the image of the informant in public view. The appellant is in custody since 19-06-2024 and has no criminal antecedent.

5. Learned Special P.P. for the State and the informant have vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that as per postmortem report cause of death is opined to be asphyxia due to hanging. Other witnesses have supported the prosecution case, which fact finds mention at paragraph Nos. 6, 7, 8 & 9 of the case diary.

6. Considering the aforesaid facts and circumstances of the case, nature and gravity of the offence and taking into account there being direct allegation against the appellant of abetment of suicide, this Court, at this stage, is not inclined to allow the appeal. Accordingly, appeal is *dismissed*.

7. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

8. However, appellant will be at liberty to renew his prayer for bail if the trial is not concluded within a period of six months.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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