

**Satya Narain Vs. State of Rajasthan**

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**SooperKanoon Citation :** [sooperkanoon.com/766664](http://sooperkanoon.com/766664)

**Court :** Rajasthan

**Decided On :** Oct-16-1986

**Reported in :** 1987WLN(UC)144

**Judge :** Inder Sen Israni, J.

**Appeal No. :** S.B. Cr. Misc. Bail Appl. No. 2654 of 1986

**Appellant :** Satya Narain

**Respondent :** State of Rajasthan

**Judgement :**

**Inder Sen Israni, J.**

1. Heard learned Counsel for the parties. I have perused the challan papers. Statement of Ashok Singh, Nawalkishore, Shanker, Damodar, Ramgopal, Indralal and Vinod, were recorded under Section. 174 Cr.PC on 3-9-86, on the date of occurrence. All these witnesses stated that deceased Nirmala committed suicide. No allegation of ill treat-mentor beating was made by either of the above named witnesses against the petitioner who is husband of the deceased lady. In the challan filed in the court, the names of Ashok Singh and Damodar Prasad, have not been cited in the list of witnesses. In the statement recorded Under Section 161, Cr. PC. Nawal Kishore and Shankarlal have stated that the petitioner used to ill treat his wife. Few other witnesses who have been examined Under Section

161, Cr. PC have also stated the same. Learned counsel for the petitioner has drawn my attention to the case of Hajari Lal and Ors. v. The State of Rajasthan 1985 RLR 956 in which it was observed that when nothing was stated against the accused petitioner in earlier statements of witnesses recorded Under Section 161 Cr. PC and same witnesses speak against the accused in statements recorded again after 5 days implicating the accused persons for abetting deceased lady to be quashed in revision.

2. In this case also there is no allegation of any abetment against the petitioner in several statements recorded Under Section 174 Cr. PC. Two of those witnesses have made allegation against the accused petitioner in their statements recorded under section 161 Cr. PC after lapse of more than 10 days.

3. In view of the conflicting statements, I am of the opinion that the petitioner Satya Narain deserves to be enlarged on bail provided he furnishes a personal bond in the sum of Rs, 5,000/- with one surity in the like amount to the satisfaction of trial court for his appearance on all subsequent dates of hearing as and when called upon to do so.