

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.24582 of 2016

Arising Out of PS.Case No. -95 Year- 2016 Thana -BANIAPUR District- SARAN

1. Sonu Kumar Giri son of Sri Kedar Giri @ Kedar Nath Giri, resident of village- Puchari Mathia, P.S.- Baniyapur, District- Saran

..... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Mukesh Kumar Singh

For the Opposite Party/ : Mr. Ram Anurag Singh(App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 20-06-2016 The certified copy of the First Information Report of Baniyapur Police Station Case No. 95 of 2016 has been filed on behalf of the petitioner, let it be kept on record.

Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Baniyapur Police Station Case No. 95 of 2016, disclosing offences under Sections 341/323/306 of the Indian Penal Code.

It is alleged that the petitioner had assaulted the deceased when she had gone to answer the call of the nature. On the subsequent day, she was found dead. With a

suspicion that she might have committed suicide because she could not bear the insult which she had faced because of the assault made by the petitioner, the First Information Report was lodged naming the petitioner as an accused.

Learned Counsel for the petitioner submits that even if the entire allegations, as made in the First Information Report, are taken to be true, strictly speaking, no offence under Section 306 of the Indian Penal Code is made out.

Considering the submission, as above, this application is allowed.

Let the petitioner, Sonu Kumar Giri, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran, Chapra, in connection with Baniyapur Police Station Case No. 95 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two

consecutive occasions, his bail bond shall be liable to be cancelled.

Prabhakar Anand/-

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(Chakradhari Sharan Singh, J.)