

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.36826 of 2016

Arising Out of PS.Case No. -92 Year- 2016 Thana -PIRPAITI District-
BHAGALPUR

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1. Lokesh Kumar @ Lankesh Kumar, Son of Arjun Choudhary, resident of Village- Hazoor Nagar, P.S. Pirpaiti, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Indeshwari Pd. Mandal, Adv.

For the Opposite Party/s : Mr. Ranjit Ranjan, APP

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

2 08-09-2016 Heard learned counsel, appearing on behalf of the petitioner, and learned Additional Public Prosecutor, appearing on behalf of the State.

This application, for grant of anticipatory bail, arises out of Pirpaiti P.S. Case No. 92 of 2016, disclosing offences under Sections 328, 306, 120 (B) and 506/34 of the Indian Penal Code.

Allegedly, the petitioner and the deceased were having love affairs and the petitioner had assured the

deceased of marrying her. Subsequently, he is said to have refused, leading to which the deceased is said to have committed suicide.

Learned counsel, appearing on behalf of the petitioner, has submitted that no offence, under Section 306 of the Indian Penal Code, is made out inasmuch as there is no allegation of abetment against the petitioner, which led to death of the deceased. In any view of the matter he contends, there is no chance that the petitioner will flee away from the course of investigation or trial, if he is granted the privilege of anticipatory bail.

In view of the submission, as above, this application is allowed. Let the petitioner, above named, 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of **learned Additional Chief Judicial Magistrate, Bhagalpur**, in connection with **Pirpaiti P.S. Case No. 92 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, above named, 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.

(Chakradhari Sharan Singh, J)

Praveen-II/-

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