

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30822 of 2017

Arising Out of PS.Case No. -414 Year- 2016 Thana -MASAURHI District- PATNA

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1. Ram Shekhar, S/o Sri Shashank Shekhar, resident of Village- Saguni,
P.S.- Masaurhi, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Pratap Singh

For the Opposite Party/s : Mr. Sri Braj Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 03-08-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Masaurhi P.S. Case No.
414 of 2016 instituted for the offence under Sections-306/34 of the
Indian Penal Code.

It is alleged in the written report that husband of the
informant after returning from morning walk, went on the ground floor
and when she went on the said floor, she saw her husband hanging. The
people of the vicinity arrived on her raising alarm and got down her
husband but at that time, he died. The informant further alleged that her
husband after retirement of Headmaster Triveni Ram took over the
charge on the order of BEO and thereafter, for last few days, Triveni
Ram (BEO, Masaurhi) and Mantu Kumar were giving pressure to her
husband to issue no dues certificate but her husband was not ready to
do the same without verifying the document. It is further alleged that



four-five days prior to the occurrence, her husband came back from the school and disclosed her that in the way, Triveni Ram, his son Mantu Kumar and Ram Shekhar coordinator and two unknown persons assaulted him with fist and slaps and threatened to kill him if he will not issue no dues certificate.

Counsel for the petitioner has submitted that there is no direct allegation against the petitioner that he has abetted the husband of the informant to commit suicide.

From the written report itself, it appears that there is no any specific allegation against this petitioner of committing any abetment. It has further been submitted that other co-accused has already been granted anticipatory bail by coordinate bench of this court vide order dated 07-07-2017 passed in Cr. Misc. No. 30502 of 2017.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner named above in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Masaurhi P.S. Case No. 414 of 2016 to the satisfaction of learned Sub Divisional Judicial Magistrate, Masaurhi, Patna subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be



present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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