

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9028 of 2017

Arising Out of PS.Case No. -660 Year- 2016 Thana -KANKARBAGH District- PATNA

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1. Ashutosh Krishna @ Akash, S/o Shyam Krishna Gupta, resident of
A/301, Charminar Apartment, Rajendra Nagar, Road No.12, P.S.-
Kadamkuan, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate
Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Manoj Kumar – 1, APP
Mr. Gouranga Chatterjee, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5/ 26-04-2017

Heard learned counsel for the Petitioner and the
State.

The Petitioner apprehends his arrest in Kankarbagh
P.S. Case No.660 of 2016 instituted for the offence under
Section(s) 376, 306, 120-B Indian Penal Code.

As per written report, daughter of the informant
committed suicide in the night of 11.09.2015. It is alleged that
from Samsung mobile phone of daughter of the informant, the
informant learnt that she was in relationship with this petitioner.
There is photograph of this petitioner along with his daughter in
the mobile phone. It is further alleged that on 11.09.2015 in the
night, the deceased (girl) sent message to this petitioner that she
is going to commit suicide but no step was taken by this
petitioner to save her life.

Counsel for the petitioner has submitted that the



occurrence took place on 11.09.2015 and the First Information Report has been lodged on 09.11.2016 after delay of more than one year. He has further submitted that at the time of alleged suicide the petitioner was not in town. He was in Banaglore.

During hearing of the bail application on 06.04.2017, a CD, which was prepared from the mobile phone of the deceased, was produced on behalf of the informant to show relationship of this petitioner with his daughter.

Counsel for the petitioner after developing the CD has produced the photographs before this Court and from those photographs it does not appear that there was any objectionable relationship between the petitioner and the daughter of the informant.

In the facts and circumstances of the case, provisional anticipatory bail granted to the petitioner by order dated 16.03.2017 in connection with Kankarbagh P.S. Case No.660 of 2016 to the satisfaction of Smt. Smita Raj, Judicial Magistrate, 1st class, Patna, is hereby confirmed on the same terms and conditions.

The application stands disposed off.

(Sanjay Priya, J)

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