

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.1646 of 2018

Arising Out of PS.Case No. -396 Year- 2017 Thana -GAYA KOTWALI District- GAYA

- =====
1. Vikash Kumar Singh @ Vikash Kumar, S/o Ashok Kumar Singh, R/o Village- Jamuhari, P.S.- Mehandia, District- Arwal.
 2. Alakh Niranjana, S/o Vijay Prasad, R/o Village- Lakhachak, P.S.- Tharthari, District- Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar

For the Opposite Party/s : Mr. Md. Arif

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 11-01-2018

Heard learned counsel for the petitioners

and learned APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 306/34 of the Indian Penal Code.

The prosecution case as per the written report of Gajendra Narayan Jha dated 29.08.2017 is to the effect that he received information at 3.00 P.M. through mobile that the victim Bhawnath Mishra has committed suicide. After receiving information he went to Gaya Kotwali P.S. where he came to know that the dead body of the victim was sent for post-mortem to Magadh Medical College. From the suicide note written by



the victim it transpired that the victim withdrew some amount from Madhya Bihar Gramin Bank, Town Branch, Telpa at the instance of Branch Manager i.e. petitioner no. 1 Vikash Kumar Singh and petitioner no. 2 Alakh Niranjana, since they were pressurizing the victim to deposit withdrawn amount he committed suicide.

It is submitted by learned counsel for the petitioners that the victim was working as Head Clerk in the Branch in question and by misusing the password of the petitioners, the victim withdrew the money and hence, the victim was asked to deposit the said amount, which was withdrawn illegally, it does not amount to abetting the victim. A statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Considering the nature of accusation coupled with the fact that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with



Gaya Kotwali P.S. Case No. 396 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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