

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51949 of 2019

Arising Out of PS. Case No.-470 Year-2018 Thana- TURKAULIYA District- East
Champaran

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LALBABU KASHYAP Son of Late Hari Shankar Prasad Resident of Village
- Barwa Areraj O.P., P.S.- Govindganj Areraj O.P., District - East Champaran
at present B.R.P. Bock Resource Centre, Harsidhi, Harsidhi Block, P.S. -
Harsidhi, District - East Champaran.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.Umanath Mishra

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

6 23-01-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is seeking anticipatory bail in
connection with Turkaulia (Banjariya) P.S. Case No. 470/2018
registered under Section 306 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
thrust of the allegations are against the co-accused Lalbabu
Kumar who was the ex-Headmaster of the School. Learned
counsel submits that in course of investigation no material has
come to demonstrate that this petitioner had in any way abated
the suicide by the husband of the informant and/or had played
any role. Learned counsel further submits that the co-accused
Lalbabu Kumar has been granted privilege of anticipatory bail



by learned coordinate Bench of this court in Cr. Misc. No. 67190/2019.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case and the submission of learned counsel for the petitioner that the thrust of the allegations are against the co-accused Lalbabu Kumar who was the ex-Headmaster of the School and the uncontroverted submission of the petitioner that in course of investigation no material has come to demonstrate that this petitioner had in any way abated the suicide by the husband of the informant and/or had played any role and further submission that the co-accused Lalbabu Kumar has been granted privilege of anticipatory bail by learned coordinate Bench of this court in Cr. Misc. No. 67190/2019 as also there being no submission on behalf of the State that grant of the pre-arrest bail is otherwise likely to interfere with the investigation in course of trial and there is any chance of tampering of evidence, let the petitioner above-named, in the event of his arrest/surrender before the court below within a period of four weeks, be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the



satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran, in connection with Turkaulia (Banjariya) P.S. Case No. 470/2018, subject to condition as laid down under Section 438(2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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