

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 33900 of 2020

Arising Out of PS Case No.-106 Year-2020 Thana- RAJAPAKAR District- Vaishali

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Amta Kumar, aged about 30 years, Male Son of Upendra Rai, Resident of Village Bhikhanpura, PS Desari, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar, Advocate
For the State : Mr. Choubey Jawahar, APP

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 26-03-2021

Heard Mr. Mukesh Kumar, learned counsel for the petitioner and Mr. Choubey Jawahar, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

2. The petitioner apprehends arrest in connection with Rajapakar PS Case No. 106 of 2020 dated 16.05.2020, instituted under Section 306 of the Indian Penal Code.

3. The allegation against the petitioner is that he was in illicit relationship with the wife of the deceased who was the son of the informant and had committed suicide.

4. Learned counsel for the petitioner submitted that only on the basis of bald allegation that the petitioner was in relationship with the wife of the deceased, he has been made an



accused without there being any evidence or proof of the same. It was submitted that the petitioner does not have any criminal antecedent.

5. Learned APP submitted that the deceased has left suicide note, both to his father as well as on his Facebook account, in which the sole ground for him to have committed suicide is that his wife was having illicit relationship with the petitioner. It was submitted that no person would end his life, especially when there is a child born and the wife pregnant, without there being substance in the allegation. It was submitted that the conduct of the petitioner is really shocking as he continued to maintain relationship with the girl who was married and was mother of the child of the deceased.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to grant pre-arrest bail to the petitioner.

7. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J.)

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