

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39232 of 2020

Arising Out of PS. Case No.-752 Year-2020 Thana- FORBESGANJ District- Araria

KING KUNDAN SON OF SHYAM SUNDER MANDAL RESIDENT OF
VILLAGE - KISHUNDASPUR NAYANAGAR RANIDIYARA NEAR
HANUMAN MANDIR, POLICE STATION - KISHUNDASPUR,
DISTRICT - BHAGALPUR (OFFICER - IN CHARGE OF NARPATGANJ
POLICE STATION)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-09-2021 The present case is being taken up for hearing out of

turn on the basis of mentioning slip filed on behalf of the
petitioner stating therein that father of the petitioner is suffering
from heart ailment and he is being treated outside the State of
Bihar.

Heard learned counsel for the petitioner and the State
through virtual mode.

Learned counsel for the petitioner is directed to
remove the defect(s), as pointed out by the office, within a
period of four weeks after restoration of normalcy.

The petitioner is apprehending his arrest in Forbesganj
(Simraha) P.S. Case No. 752 of 2020 registered under Section



306 of the Indian Penal Code.

Allegedly, the informant's wife Shruti Kumari posted at Simraha P.S. as lady constable no. 58 has committed suicide in the intervening night of dated 3/4-09-2020 by hanging herself by Dupatta at her rental house. The informant has alleged that the petitioner abetted the deceased to commit suicide.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been made accused in the present case due to mistake of fact. The petitioner is SHO serving in Police Department. The deceased was also a constable in Police Department. The allegation is that the petitioner had assured the deceased to marry her and on the refusal, she is alleged to have committed suicide. The allegation, made in the FIR is denied by the petitioner. The petitioner had no intention to marry with the deceased nor he had made any such assurance to the deceased.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period



of twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Forbesganj (Simraha) P.S. Case No. 752 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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