

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29912 of 2021

Arising Out of PS. Case No.-608 Year-2020 Thana- PATRAKARNAGAR District- Patna

Rahul Kumar S/O Bishwanath Prasad R/O Mohalla-G/31 Vijay Nagar, P.S.-
PATRAKAR Nagar, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vipin Kumar, Advocate
		Mr. Niraj Kumar Sinha, Advocate
For the Opposite Party/s	:	Mr. Bhanu Pratap Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-06-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within a period of four weeks from today.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 306, 406,
420/34 of the Indian Penal Code.

According to prosecution case, on the basis of written
report of the informant that her husband namely Santosh Kumar
has committed suicide at the fourth floor of his house situated at
Vijaynagar, Kankarbagh, Patna. At the time of suicide he was 51
years old and he has left a suicide note in which it has been
stated that one Rahul Kumar who was friend of her husband had
taken Rs. 10 lakh from deceased Santosh Kumar but he did not



return that the same due to which he very much disturbed and another one person namely Jaiprakash Paswan also took Rs.1 lakh from her husband but same was also not returned by the said person due to which he was facing hardship for the education of his children.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case only on the basis of suspicion. He further submits that in fact the husband of the informant has taken garment from the petitioner regularly and the amount of the same has not been paid by the husband of the informant. He further submits that it appears from the F.I.R. itself that there is no allegation of abatement against the petitioner and sub section 306 has not been attracted against the petitioner.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender within a period of four weeks, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is



pending in connection with Patrakar Nagar P.S. Case No. 608 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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