

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38425 of 2021

Arising Out of PS. Case No.-658 Year-2020 Thana- AHIYAPUR District- Muzaffarpur

KUNDAN KUMAR @ KUNDAN MISHRA S/o Amrendra Mishra R/o
village- Shekhpur, P.S.- Ahiyapur, District- Muzaffarpur (Bihar)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Nath Dubey, Advocate

For the Opposite Party/s : Mr.Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-05-2022 Heard learned counsel for the petitioner and learned APP
for 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.

The petitioner is apprehending his arrest in a case
registered under Section 306 of the Indian Penal Code.

Prosecution case, in short, is that the petitioner used to
molest the daughter of the informant and also made an objectionable
video of her and blackmailed her and also used to abuse and threaten
to kill her. The daughter of the informant was mentally harassed and
on 13.08.2020 at around 7 p.m. his daughter jumped into the river,
but was not traced. Her suicide note was also annexed in the written
statement.

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 due to mistake of fact. The informant of the present case has filed a petition in the court below, where he has retracted from his earlier statement made in the F.I.R. Said petition filed by the informant in the court below is Annexure 4 to the present application. The death of the deceased is said to be accidental death. There is no material to suggest that the petitioner abetted the deceased soon before her death to commit suicide.

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

Considering the facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur in connection with Ahiyapur P.S. case No.658/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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