

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48301 of 2021

Arising Out of PS. Case No.-108 Year-2020 Thana- LAHERIMUHALLA District- Nalanda

UPENDRA KUMAR @ UPENDRA PRASAD Son of Late Arvind Prasad
Resident of Village - Bakatmalbigha, P.O.- Saure, P.S.- Ben, District -
Nalanda, At present residing in Mohalla - Shivpuri, P.S.- Laheri, P.O.-
Biharsharif, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sidhendra Narayan Singh
For the Opposite Party/s	:	Mr. Sunil Kumar Pandey
For the Complainant	:	Mr. Pankaj Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-04-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned counsel for the petitioner undertakes to
remove the defects, as pointed out by the office, within four
weeks. In the eventuality of non-removal of defects within
undertaken period, the office will place the matter before the
Bench.

The petitioner apprehends his arrest in Laheri P.S.
Case No. 108 of 2020 registered for the offences punishable
under Section 302/354B/34 of the Indian Penal Code and
Section 4 of the POSCO Act pending in the Court of learned
Additional Sessions Judge -VI-cum-Special Judge, POSCO



Court, Nalanda at Biharsharif.

Petitioner along with co-accused, Rahul Kumar is said to have misbehaved and teased the daughter of the informant due to which she committed suicide by hanging herself.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case due to some altercation between informant and accused petitioner on demand of dues room rent. On the alleged date of occurrence the victim was not residing in his house rather she was residing in the house of Ranjit Kumar Singh. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has no criminal antecedent.

Learned APP for the State as well as learned counsel for the complainant vehemently opposing the bail petition submitted that the petitioner along with other co-accused used to misbehave with the petitioner due to which she committed suicide. It is further submitted that the age of the victim is about 17 years and considering the seriousness of the allegation, the petitioner does not deserve anticipatory bail.

Considering the facts and circumstances of case, I am



not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected. However, the petitioner is directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J.)

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