

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39529 of 2022

Arising Out of PS. Case No.-52 Year-2022 Thana- GOPALPUR District- Gopalganj

Golden Gond @ Golu Kumar Son Of Ramashish Gond @ Ramashish Sah
R/O Village- Tola Palat Narhwa, P.S.- Gopalpur, District- Gopalganj

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vyas Kumar Mishra

For the Opposite Party/s : Mr.Arun Kumar Pandey

Mr. Ranjeet Kr. Pandey

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-11-2022 Heard learned counsel for the petitioner, informant
and learned Additional Public Prosecutor for the State.

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

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 323, 327, 109, 306, 302/34 of the Indian Penal Code.

Petitioner is said to have assaulted the son of the informant by tying his hands and threatened him and due to this annoyance, he committed suicide.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. In fact, the petitioner lodged a case against unknown for stealing in his shop on 11.01.2022 and the case has been



registered on 16.01.2022 against unknown. It is very surprising that on 16.01.2022, the deceased was died due to hanging and complainant has given her fardbeyan but when the court ordered to sent the complaint under Section 156 (3) Cr.P.C. but a report was not call for from concerned P.S. The reason assigned by the informant about the occurrence is not believable because petitioner has got instituted a FIR for the theft in his shop in which he was not named that deceased nor any allegation was levelled against the deceased. He submits that there is no external and internal injury upon the body of the deceased was found. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State and learned counsel for the informant oppose the prayer for bail and submit that the son of the complainant was beaten by the petitioner including the co-accused thereafter, he committed suicide.

Considering the nature of allegation, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Gopalpur P.S. Case No. 52 of 2022.

(Anjani Kumar Sharan, J)

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