

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55640 of 2021

Arising Out of PS. Case No.-104 Year-2021 Thana- CHHATAUNI District- East Champaran

PUSHPA KUMARI D/O GANGA SAGAR PRASAD Resident of Village -
Radhiya, P.S.- Govindganj, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Anshu Dhar Sharma
For the State	:	Mr.Aditya Narayan Singh.1
For the informant	:	Mr. Rajeev Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 28-06-2022 Heard learned counsel for the petitioner, the State and
the informant.

Petitioner apprehends his arrest in a case registered
for the offence punishable under Section 306 of the Indian Penal
Code.

As per the prosecution case, son of informant
committed suicide because of a failed love relationship. It is
further alleged that this petitioner had made a call to the elder
brother of the brother-in-law of the deceased to find out whether
the deceased is in proper mental shape and thereafter room of
the deceased was broken open and it was found that he was
hanging from the ceiling fan.

Learned counsel appearing for the petitioner submits



that petitioner is innocent and has committed no offence. Petitioner has got no concern with the deceased. Petitioner has got clean antecedent. As a matter of fact petitioner was living earlier in Motihari town for her technical education and she met with the deceased as his cyber cafe and because of glamorous and attractive personality of the petitioner deceased developed infatuation with petitioner and offered her for marriage which was refused by the petitioner. In the entire case diary there is no direct or indirect evidence to show that this petitioner in any way abated or instigated the deceased to commit suicide. The petitioner cannot be held responsible for extreme sensitivity of the other person for his own frailties of temperament. Petitioner has got clean antecedent.

Learned counsel appearing for the State and the informant opposed the prayer for anticipatory bail and submitted that petitioner stated that she is unmarried women which is blatant lie. Petitioner was married to one Mukesh Gupta but on account of some matrimonial dispute she lodged Kotwa PS case No. 04/2015 and it is evidently clear that she is married lady. It is further submitted that petitioner is in habit of alluring innocent persons and used them for her own purpose. It is submitted that petitioner trapped the son of informant in love



affair and even had physical relation with her son and was having certain compromising pictures of both of them and on account of said facts petitioner used to blackmail the son of informant. It is next submitted that petitioner has extracted Rs. 2,42,977/- on various dates from the informant's son and in support of the same learned counsel has annexed bank statement of the informant's son (Annexure- B to the counter affidavit). It is also submitted that petitioner had travelled with the informant's son to various places including New Delhi on 1st March, 2021 through MFP-PBR Special Train vide PNR No. 6347860240 (Annexure- C to the counter affidavit). In view of above mentioned facts it is submitted that the stand of the petitioner that she has nothing to do with the informant's son is a blatant lie and the anticipatory bail petition of petitioner should to be dismissed.

Considering the facts of the case, nature of accusation and clean antecedent of the petitioner, let the petitioner, above named, in the event of his arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, East Champaran, Motihari in connection with Chhatauni PS



case No.104/ 2021, subject to conditions laid down u/s 438(2) of
the Cr. P. C.

(Prabhat Kumar Singh, J)

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