

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58820 of 2021

Arising Out of PS. Case No.-36 Year-2021 Thana- TATARPUR District- Bhagalpur

ABHINANDAN KUMAR Son of Sri Krishnadeo Singh Resident of Village
Barohiga, P.S. - Buddhuchak, and District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madan Mohan, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

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

Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and is a young boy, aged about 18 years.

The informant alleges that he has two sons and his elder son is a student and was residing as a tenant in a room owned by Suresh Mandal. It is alleged that petitioner and Robin Kumar also used to jointly reside in the same building and used to harass the deceased regularly on account of which on 12.02.2021 at 06:30 p.m. his son hanged himself from the ceiling fan in the room which was opened after breaking the



door and thereafter his son was taken to Mayaganj Hospital where he was declared dead.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. It is next submitted that petitioner along with Robin Kumar and the deceased were friends and were staying together and were preparing for competitive examination. It is next submitted that though the informant in the FIR alleges that the deceased was being harassed by the petitioner and Robin Kumar which led to the occurrence but the FIR does not even remotely suggest that what kind of harassment was being meted out to the deceased which he could not withstand and led to the occurrence of committing suicide. It is next submitted that had the harassment been such that it would have been difficult for the deceased to withstand then definitely the informant would have been knowing the kind of harassment which was being meted out by the accused persons but the silence on the said issue creates doubt with regard to the veracity of the allegation. Learned counsel submits that the informant is not an eyewitness to the occurrence nor the FIR discloses the kind of harassment which was being meted out to the deceased and the petitioner is a student and young boy of 18 years of age, as such, his case be



considered.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six 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 the learned court below where the case is pending/successor court in connection with Tatarpur (University) P.S. Case No. 36 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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