

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68665 of 2021

Arising Out of PS. Case No.-228 Year-2017 Thana- KORHA District- Katihar

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SURENDRA CHOUDHARY SON OF LATE CHANDRADIP
CHOUDHARY Resident of Village - Korha, P.O. and P.S.- Korha, Distt.-
Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. TULSI PRASAD BHAGAT Son of Late Bindeshwari Prasad Bhagat
Resident of Village - Korha, P.s.- Korha, Distt.- Katihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pravin Chandra Prasad, Adv.
For the Opposite Party/s : Mr. Satyendra Prasad, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 06-06-2022 Heard the parties.

Learned counsel for the petitioner undertakes to
remove the defects as pointed out by the office within three
weeks, on resumption of physical mode, failing which the office
is directed to place the matter before the Bench.

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

Allegation against the accused persons including the
petitioner as stated in the FIR is that on 01.08.2017 the grand
daughter (Natni) of the informant namely Punam Kumari
hanged herself with ceiling fan by 'dupatta' in a room, while the



informant entered that room, he found that Punam Kumari was senseless. She was taken to PHC, Korha where she was declared dead. It has been alleged that the deceased left her house with Ajay Kumar Chaudhary (co-accused) and this petitioner is his uncle.

Learned counsel for the petitioner submits that the petitioner is innocent person, has committed no offence and he has been falsely implicated in this case only on mere suspicion. There is no evidence in entire case diary regarding the involvement of this petitioner in the alleged occurrence. He further submits that the deceased left her house four days ago prior to the occurrence and it is not stated where she had gone during that period and the deceased hanged herself in the house of the informant. The main co-accused, namely, Ajay Chaudhary has already been granted anticipatory bail by Co-ordinate Bench of this Court vide order dated 24.10.2019 passed in Cr. Misc. no.49154/2019. The petitioner has no criminal antecedent.

Learned APP for the State vehemently opposed the prayer for bail petition.

In the aforesaid facts and circumstances of the case, I am inclined to grant anticipatory bail to the above named petitioner, in the event of his arrest or surrender before the court



below within a period of six weeks from the date of receipt of the order, 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 Chief Judicial Magistrate, Katihar in connection with Korha P.S. Case No. 228/2017, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Chandra Prakash Singh, J)

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