

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32956 of 2023

Arising Out of PS. Case No.-287 Year-2022 Thana- DALSINGHSARAI District- Samastipur

MD. IBRAN Son of Md. Yusuf Resident of village - Kharaj Hakimabad, ward
no. 3, old, Police Station, Muffasil, Distt. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Advocate

For the Opposite Party/s : Ms. Indu Kumari Srivastava, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 31-07-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 147, 148,
149, 341, 323, 342, 306, 504 and 120B of the Indian Penal
Code.

3. The informant alleges that Md. Sahaab along with
other co-accused persons assaulted his brother, thereafter, his
brother reached the police station to lodge a complaint and the
police tried to resolve the matter in between both the parties but
could not succeed and kept his brother in police protection
where in the night it is alleged that his brother committed
suicide, it is thus alleged that his brother committed suicide
which was abetted by the accused persons including the



petitioner.

4. Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and has been falsely implicated in the present case, it is next submitted that the death was a custodial death but in order to cover up the case, the present false case came to be instituted, it is further submitted that inquest report was prepared on 29.07.2022 at 09:55 AM when the alleged suicide was committed in the night of 28/29.07.2023. It is thus submitted that it absolutely does not stand to reason that why there was such delay in making the inquest report, it is further submitted that a yellow color plastic rope measuring two feet was found and the length of the rope was so less that it cannot be deemed to be sufficient to commit suicide by hanging to a window grill as the rope was measuring only about two feet. The learned counsel thus submits that in custodial death the petitioner has been falsely implicated.

5. Learned A.P.P. for the State and learned counsel for the informant opposed the prayer for anticipatory bail of the petitioner but are not in a position to rebut the submission of the learned counsel for the petitioner that the death took place inside the police station and the petitioner is alleged to have abetted the suicide.



6. 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 trial court 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 trial court where the case is pending/successor court in connection with Dalsingsarai P.S. Case No. 287 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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