

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71821 of 2022

Arising Out of PS. Case No.-185 Year-2022 Thana- RAJIVNAGAR District- Patna

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Ravi Singh, Son of Late Gulab Singh, Resident of Mohalla- Mahua Bagh,
P.S.- Phulwari Sarif, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

6 13-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner, in the present case, is seeking pre-arrest bail in connection with Rajiv Nagar P.S. Case No.185 of 2022 registered for the offences punishable under Section 306 of the Indian Penal Code. The petitioner has got no criminal antecedent.

3. As per the prosecution story, the informant namely Rajeevan C.P. has submitted a written report dated 27.04.2022 alleging therein that his niece who is posted in E.C. Railway, Danapur has committed suicide. It is alleged that his niece is a national player and got appointed in Railway on sports quota. It is further alleged that his niece always told him that she had been mentally, physically and sexually harassed by her

basketball coach namely Ravi Singh (petitioner).

4. Learned counsel for the petitioner submits that the petitioner happened to be the coach of the deceased who was a sportswoman and a player of basketball. The deceased was employed in Railway on sports quota and in course of coaching at certain points of time the petitioner had made some complaints against her that she was not attending the practice sessions. It is submitted that the duty of the petitioner is to give tips and training to the player and some time he used to conduct surprise inspection and checking to discipline all the players but there is no single instance that he ever indulged in committing any such acts or deeds which may compel the deceased to commit suicide.

5. Referring to the materials collected in course of investigation of the case, learned counsel for the petitioner submits that in paragraph '6' of the case diary, the police has recorded the contents of the one written message left by the deceased from which it would appear that she was addressing to someone whom she loved earlier but she had a complained against him.

6. Learned counsel further submits that in course of investigation it has further transpired that on the said date when

she had committed suicide, she had talked to her boy friend at least 48 times during 12 hours but then she had not picked up the call of a girl friend of her boy friend.

7. Learned counsel for the petitioner, therefore, submits that the petitioner is being implicated on false and baseless allegation as no material has been collected against him referring to any particular instance or act which would have compelled the deceased to commit suicide.

8. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner but he confirms the materials recorded in paragraph '6' of the case diary and has further informed this Court that in the case diary though there are some general allegations that this petitioner used to report wrongly that the deceased was not attending her practice session but there is no specific instance of commission of any such acts and deeds which may be otherwise attributed to the petitioner.

9. Having regard to the facts and circumstances of the case, this being a case of suicide and paragraph '6' of the case diary reveals some kind of emotional break up of the deceased and this petitioner happens to be her coach and in the case diary no particular instance has been found which would have compelled the deceased to commit suicide, in the nature of

the materials present in the case diary, this Court directs that in case of his arrest/surrender within a period of four weeks from today, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Patna in connection with Rajiv Nagar P.S. Case No. 185 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

10. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

11. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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