

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9492 of 2024

Arising Out of PS. Case No.-204 Year-2023 Thana- JOKIHAT District- Araria

Nawin Kumar @ Navin Kumar son of Jai Kumar Sah Village- Dalmalpur PS-
Amour Distt- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kishore Bharti,Advocate

For the Opposite Party/s : Mr.Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-02-2024 Heard Mr.Vijay Kishore Bharti, learned counsel for the

petitioner and Mr.Surendra Prasad Singh, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Jokihat (Mahalgaon) P.S.Case No.204 of
2023,FIR dated 04.05.2023 registered for the offences punishable
under Sections 305/34 of IPC.

3. The prosecution story in short according to First
information report of the informant, namely Naseeb Lal Ram is
that on 04.05.2023 his daughter Sonam Kumari aged about 15
years was alone in house, and when he returned at about 13.30
o'clock, he saw that his daughter is hanging and when she was kept
down, she was found dead it was disclosed by Prem Lata Devi that
petitioner Navin Kumar who is the driver of Peoples Academy was
seen going to his house and his vehicle was also seen near his



house. The informant further claims that the parents of petitioner Navin Kumar always put pressure to marry their son otherwise they will defame her. Being upset, his daughter committed suicide.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. In fact the informant is not the eye witness of the alleged occurrence and the name of the petitioner has been transpired on the basis of suspicion and except the suspicion no other cogent material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence. In fact, the daughter of the informant has committed suicide herself and the petitioner has no role at all in the present occurrence.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Jokihat (Mahalgaon) P.S.Case No.204 of 2023,



subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) 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/her 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.

(Rajesh Kumar Verma, J)

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