

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24710 of 2024

Arising Out of PS. Case No.-111 Year-2022 Thana- BHIMPUR District- Supaul

Nikku Kumar @ Niko Kumar @ Niku Choudhry son of Chhote Lal
Choudhary Village- Koparia W.No-2, Ps- Triveniganj Dist- Supaul

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Giri, Advocate

For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 01-05-2024

Heard the parties.

2. The petitioner is apprehending his arrest in connection with Bhimpur P.S. Case No. 111 of 2022 for the offence under section 306 of the I.P.C. lodged on 16.10.2022 by the informant, Pano Devi.

3. As per the prosecution story, the informant alleged that her daughter had relationship with the petitioner, solemnized marriage, went to Delhi and upon return, she was not permitted by her in-laws and as the petitioner also tried to distance himself, she committed suicide. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that he was in love with the lady, solemnized marriage, there was opposition from the family members and the deceased being impatient, could not bear the tension and committed suicide. He



has already lost his wife, FIR lodged and will be facing the trial.

5. Learned APP opposes the prayer stating that due to the attitude of the petitioner/family members, she committed suicide.

6. Taking into account the aforesaid facts as also the fact that he is twenty-seven years of age, the allegation itself shows that the girl committed suicide, do not have criminal antecedent, the FIR has been lodged and will be facing the trial, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Supaul, in connection with Bhimpur P.S. Case No. 111 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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