

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26769 of 2024

Arising Out of PS. Case No.-239 Year-2023 Thana- GANGABRIDGE District- Vaishali

Akhilesh Kumar Son of Ramesh Rai @ Ramesh Ray Resident of Village-
Kuari, Police Station- Ganga Bridge in the district of Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar, Advocate

For the Opposite Party/s : Mr.Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 18-09-2024 1. Heard learned Counsel for the petitioner and
learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of Ganga Bridge PS case no. 239 of 2023, disclosing
offences punishable under Section 302/34 of the Indian Penal
Code.
3. The prosecution story, as per the First Information
Report, is that on 22.10.2023, when the informant woke up, he
saw that the dead body of his son Amit Kumar was hanging
with the help of towel (gamchha) from the bamboo of the roof.
The informant has raised suspicion against co-accused Sanju
Devi and the petitioner along with 2-3 unknown persons and
stated that after committing murder of his son, his dead body
was hanged.



4. Learned Counsel for the petitioner submits that the petitioner has been made accused on the basis of suspicion only on account of land dispute existing between the parties. Learned counsel further submits that the Police, during investigation, has arrived at the finding that the deceased was having the bad habit of gambling, for which, he had taken huge amount from the petitioner as loan and upon demand, he was unable to refund the amount to the petitioner. She next submits that due to the fact that the deceased was having no money to meet his expenses, he has committed suicide. The post-mortem report reveals that the deceased died of asphyxia due to hanging. Learned counsel also submits that supervising authority has directed for submission of charge-sheet under Section 306 I.P.C. but no direct material has come against the petitioner to show that he has abetted the deceased to commit suicide.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the nature of material collected during the course of investigation and the fact that the supervising authority has directed for filing charge-sheet under Section 306 of the Indian Penal Code, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.



7. Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within six weeks, 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, Vaishali at Hajipur in connection with Ganga Bridge PS case no. 239 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

rinkee/-

U		T	
---	--	---	--

