

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43360 of 2024

Arising Out of PS. Case No.-186 Year-2024 Thana- TURKAULIYA District- East
Champaran

Vinay Kumar S/O Nathuni Sah R/O Village – Manjhar, P.S. - Turkauliya,
Distt - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Advocate
		Mr. Sheo Jee Mishra, Advocate
For the Opposite Party/s	:	Mr. Ahmad Ali, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 25-07-2024 1. Heard Mr. Yogesh Chandra Verma learned Senior Counsel for the petitioner, learned A.P.P. for the State and learned counsel appearing on behalf of the informant.
2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 306, 504 and 506/34 of the Indian Penal Code.
3. Learned Senior Counsel for the petitioner submits that petitioner is a person with clean antecedent and the FIR has been instituted by the wife of the deceased alleging that her husband was the headmaster of a school who committed suicide as the petitioner along with others were demanding bribe from him as an amount of Rs.29 lakhs had come in the account of the school for construction of the school. Further, the accused persons including the petitioner were also threatening her



husband that if the amount is not paid he will get suspended.

4. Learned Senior Counsel for the petitioner submits that from perusal of the allegation as alleged in the FIR, it would manifest that the same does not disclose as to what amount was being demanded by the petitioner from the husband of the informant by way of bribe. It is further submitted that if what has been alleged in the FIR is true in that event the deceased ought to have filed a complaint before the superior authority but then that was not done. It is next submitted that it does not appear probable that merely because someone demanded bribe the husband of the informant would have committed suicide. It is also submitted that petitioner will not abscond rather will cooperate in the trial.

5. Learned A.P.P. for the State and learned counsel appearing on behalf of the informant opposed the prayer for anticipatory bail of the petitioner. Learned counsel appearing on behalf of the informant submits that a suicide note has been found wherein the deceased prior to committing suicide had recorded that an amount of Rs.10 lakh was being demanded from the husband of the informant by way of bribe by the accused persons including the petitioner on account of which he had no option but to commit suicide on which learned Senior



Counsel for the petitioner submits that the same does not inspire confidence for the reason that if bribe was being demanded then the deceased ought to have moved before the superior authorities by filing a complaint bringing to their notice about the misdeeds of the petitioner and others but then that was not done. It is submitted, at the cost of repetition, that petitioner will not abscond rather will cooperate in the investigation.

6. Considering the submissions made by the learned Senior Counsel for the petitioner, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below 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 court below where the case is pending/successor court in connection with Turkauliya P.S. Case No. 186 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, if the investigating officer of the case files an application bringing to the notice of the learned court below that petitioner, despite giving assurance to this Court, is not cooperating in the investigation or is not presenting himself when required by the investigating officer, the learned court



below shall be at liberty to cancel the bail bonds of the petitioner after recording reasons.

8. Let a copy of this order be sent to the concerned police station through the learned court below.

(Satyavrat Verma, J)

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