

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50483 of 2024

Arising Out of PS. Case No.-100 Year-2024 Thana- DHORAIYA District- Banka

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Banti Mishra @ Amarkant Mishra Son of Late Ram Roop Mishra Resident of
Village - Beldiha, P.S.- Dhoraiya, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha

For the Opposite Party/s : Mr.Ram Sumiran Rai

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 306/34 of the Indian Penal Code.

3. As per the prosecution case, on 25.03.2024 at about 6:30 PM, on the eve of Holi, an altercation took place between the parties in which all the F.I.R. named accused persons including this petitioner assaulted informant and his son. When son of the informant disclosed the alleged incident to his younger brother namely Shubham (deceased), he told about the same to one Satyam, who did not believe his story and out of frustration, Shubham committed suicide.

4. Learned counsel for the petitioner submits that from perusal of the F.I.R. it is apparent that deceased committed suicide only due to the reason that his friend did not believe his



statement. There is no allegation that this petitioner played any active role to instigate or aid the deceased in committing suicide. Similarly situated three co-accused persons have already been granted anticipatory bail by this Court, vide order dated 08.08.2024 passed in Cr.Misc. No. 49321 of 2024. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged 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 Additional Chief Judicial Magistrate 3rd, Banka in connection with Dhoraiya (Dhuraiya) P. S. Case No. 100 of 2024 (G.R. No. 915 of 2024), subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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