

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 53081 of 2024**

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

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AJAY KUMAR @ MANISH KUMAR S/O BINDESHWARI MAHTO @
BINDESHWARI PRASAD R/O VILLAGE- PIPARIYA NAGAR TOLI,
WARD NO. 04, P.S- TURKAULIYA, DISTT.- EAST CHAMPARAN.
... .. Petitioner/s

Versus

THE STATE OF BIHAR
... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-08-2024 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

2. The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 306, 504,
506 and 34 of the Indian Penal Code.

3. As per the FIR, allegation against the petitioner is of
demanding money in the form of bribe from the husband of the
informant, who committed suicide.

4. It is submitted by learned counsel for the petitioner that
the petitioner is quite innocent and have committed no offence.
No such occurrence as alleged has ever taken place. Petitioner
has been falsely implicated in this case. Learned counsel for the
petitioner submits that the petitioner has no criminal
antecedent. The present 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 alongwith others were demanding bribe from him as an amount of Rs. 29 lakhs had come into the account for the construction of the school. Further, the accused persons including the petitioner were also threatening her husband that if the amount is not paid, they will get him suspended. Learned counsel for the petitioner submits that as per the allegation as alleged in the FIR, it would manifest that the same does not disclose as to what amount has been 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. Learned counsel for the petitioner further submits that similarly situated co-accused, namely, Soni Kumari and Vinay Kumar have been enlarged on anticipatory bail by a co-ordinate bench of this court in Cr. Misc. No. 46596 of 2024 and Cr. Misc. No. 43360 of 2024 respectively.

5. Learned APP for the State opposes the prayer for anticipatory bail and submits that police has recovered a suicide note in which it is mentioned that petitioner alongwith other



accused persons has demanded Rs. 10 lakhs from the husband of the informant in the form of bribe due to which he had no option but to suicide.

6. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Turkauliya P.S. Case No. 186 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. However, if the investigation 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 investigation officer, the learned court below shall be at liberty to cancel the bail bonds of the petitioner after recording reasons.

(Anjani Kumar Sharan, J)

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