

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.55774 of 2024**

Arising Out of PS. Case No.-1602 Year-2023 Thana- DANAPUR District- Patna

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Keshav Kumar Shandilya @ Ekand Kumar @ Ekant Kumar Son Of Surendra  
Rai R/O-Village Ward No. 41 ,Bhardwaj Nagar, Bari Eghu Durga Chowk,  
Mohan Eghu, P.S. Mufassil, District Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Patanjali Rishi

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

- 2      04-09-2024                      1. Heard learned counsel for the petitioner and  
learned APP for the State, Mr. Chandra Bhushan Prasad.
2. The petitioner seeks bail in anticipation of his  
arrest in a case registered for the offence punishable under  
Section 306 of the Indian Penal Code.
3. The learned counsel for the petitioner submits that  
the petitioner is a person with clean antecedent and has been  
falsely implicated in the instant case by the informant based on  
suspicion. It is next submitted that the informant alleges that  
petitioner called him on 18.12.2023 and informed that his  
younger sister has committed suicide. Accordingly, he went to  
the place of occurrence and saw that his sister was hanging from  
a fan, it is further alleged that the deceased was staying with the



elder sister of the informant and the petitioner who is related with his elder sister used to call the deceased from his mobile Nos. 8877878747 and 9570433528 continuously making her weary, further, despite requesting the petitioner not to call his sister he never listened thus alleges, based on suspicion, that on account of harassment meted out by the petitioner, his sister might have committed suicide.

4. The learned counsel on behalf of the petitioner submits that the entire allegation hinges around suspicion. It is next submitted that the informant, in the FIR, in the beginning alleges that petitioner is his maternal nephew (*bhagna*) but in later part of the FIR alleges that he is related to his elder sister through her relation, as such, it is not clear from the FIR that how petitioner is related to the informant. It is submitted petitioner does not have any direct relation with the informant rather is related to his elder sister through the side of her husband. It is next submitted that it was petitioner who had informed the informant that his sister has committed suicide. It is thus submitted that it appears that the deceased, prior to committing suicide, had talked to the petitioner. It is also submitted that if the petitioner would have been harassing then why would the deceased would have called him, it is further



submitted at the cost of repetition, the entire allegation hinges around suspicion.

5. The learned APP for the State Mr. Chandra Bhushan Prasad, opposes the anticipatory bail application and submits that no doubt, from perusal of the allegation as alleged in the FIR, it manifests that the allegation hinges around suspicion but then the sister of the informant had died and there must be some reason for the informant to suspect the petitioner as no brother would falsely implicate someone without any reason. It is also submitted that investigation of the case is in its initial stage and in the event if privileges of anticipatory bail is granted to the petitioner, the petitioner may abscond on which the learned counsel appearing on behalf of the petitioner submits that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

6. Considering the submissions made by the learned counsel appearing on behalf of the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 25,000 /- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned



Additional Chief Judicial Magistrate-1, Danapur, Patna in connection with Danapur P.S. Case No. 1602 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C. However, one of the bailor of the petitioner shall be his father, Surendra Rai.

7. It is further made clear that in the event if the investigating officer of the case filed an application before the learned trial court bringing to its notice that petitioner despite giving assurance to this Court is not cooperating in the investigation or is not presenting himself as and when required, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner and to take all coercive steps to ensure that petitioner is behind bars.

8. It is further made clear that if charge-sheet is submitted, connecting the petitioner with the offence, in that event the present anticipatory bail order shall lose its effect.

9. It is made clear that the learned trial court before accepting the bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of even one case, in that event, the present anticipatory bail order shall not be given effect to.



10. Accordingly, the present anticipatory bail application stands allowed.

(Satyavrat Verma, J.)

Sudhanshu/-

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