

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59503 of 2024

Arising Out of PS. Case No.-329 Year-2023 Thana- VISHNUPAD District- Gaya

Pradeep Kumar S/O- Mohan Prasad Village- Bhare Ps- Fatehpur Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Durgesh Nandan

For the Opposite Party/s : Mr.Ahmad Ali

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-09-2024 1. 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 and
120B of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and is a young boy
aged about 20 years and the informant alleges that his daughter,
a student of Part-III Polytechnic College, was found hanging by
ceiling fan in her rented room, further one Akshay, a resident of
Delha and a student of NEET, used to compel the deceased to
establish physical relation, hence she committed suicide, next
alleges that earlier petitioner used to blackmail the deceased
after trapping her in love, further about 7-8 months back, the



petitioner called the informant on his mobile and said that deceased was not talking to her, thus suspects that victim was being tormented by the petitioner and Akshay compelling her to commit suicide.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is also submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the thrust of the allegation is against Akshay. It is also submitted that informant alleges that Akshay was compelling the deceased to establish physical relation on account of which she committed suicide which amply demonstrates that the victim had disclosed to the informant that how Akshay was tormenting her. It is next submitted that the informant does not even remotely suggest that the proximate cause of death of the victim was because of the petitioner but then alleges that about 7-8 months back, the petitioner was also blackmailing her and had even called him and informed that victim is not talking to him, thus he suspects that petitioner might have been involved in the occurrence along with Akshay compelling the victim to commit suicide. Learned counsel further submits that the entire allegation hinges around suspicion. It is also submitted that if petitioner is sent to judicial



custody in the nature of allegation as alleged in the FIR, his entire career would be jeopardized and chances are bright that he may come in contact with hardened criminals when he is a student.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that though from perusal of the allegation as alleged in the FIR, it manifests that thrust of the allegation is against Akshay but then informant has also roped the petitioner in the case alleging that earlier he was also tormenting her. It is also submitted that if privilege of anticipatory bail is granted to the petitioner, the petitioner may abscond, on which 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 for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Vishnupad



Temple P.S. Case No. 329 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. One of the bailors of the petitioner shall be his father, Mohan Prasad.

8. However, it is made clear that in the event, if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the 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 forthwith cancel the bail bonds of the petitioner after recording reasons.

9. Let a copy of this order be sent to the concerned Police Station through the learned Trial Court.

(Satyavrat Verma, J)

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