

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77718 of 2024

Arising Out of PS. Case No.-219 Year-2024 Thana- BHAGWANPUR District- Vaishali

1. Ramji Singh S/o Late Naga Singh Resident of Village- Sarangi, Police Station- Bhagwanpur, Distt.- Vaishali
2. Ranjan Kumar Singh S/o Ramjee Singh Resident of Village- Sarangi, Police Station- Bhagwanpur, Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ranjeet Kumar, Adv. Ms. Supriya Kumar, Adv.
For the State	:	Mr. Akshay Lal Pandit, A.P.P.
For the Informant	:	Mr. Shyameshwar Kr. Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 21-11-2024 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Bhagwanpur Police Station Case No.219 of 2024, dated 29.07.2024, disclosing offences under Section 108, 3(5) of the B.N.S. Act.

3. The prosecution case, as per the First Information Report, is that co-accused Laxmi Kant @ Raja had taken Rs. 80 Thousand from informant's son, namely, Vikash Kumar and he had also taken two cheques from Vikash Kumar with assurance to deposit the money, but for about 3-4 years money was not returned by him. About 5-6 months back, Vikash Kumar came at



co-accused Laxmi Kant's house and asked his money back, then the co-accused Laxmi Kant said that he has opened L.I.C. Policy of Rs. 30 Thousand in his name and the rest amount would be paid to him after a few days. It has further been alleged that all the accused persons, including the petitioners, told that Vikash Kumar had taken a loan of Rs. 3 lakhs and when her son protested, the petitioners and other accused persons damaged the asbestos sheet of the house/roof of the informant. Subsequently, the informant's husband agreed to return the money of Rs. 3 lakhs, out of which he could arrange only 1.50 lakhs. On the fateful night, informant's husband went to sleep in a Bathan (cattle house), then informant's daughter-in-law went to feed her husband where she saw that informant's husband was hanging from the iron rod.

4. Learned counsel for the petitioners submits that petitioners have been made accused due to the fact that they happen to be the father and brother of Laxmi Kant. He further submits that the money transaction had taken place, as per the F.I.R., between Laxmi Kant and informant's son, namely, Vikash Kumar. He next submits that false allegation has been levelled against the petitioners that they went along with Laxmi Kant at the house of the informant and damaged the asbestos



sheets of the house. He further submits that there was no active participation of the petitioners causing abatement for suicide, admittedly, the deceased has committed suicide. He next submits that Laxmi Kant has been granted Regular Bail vide B.P. No. 1367 of 2024 dated 08.10.2024 by the learned Session Judge.

5. On the hand, learned counsel for the informant vehemently opposed the prayer for bail and submits that just prior to suicide committed by the informant's husband, the petitioners along with Laxmi Kant arrived at the house of the informant, damaged the property and threatened him to pay the money. Consequently, deceased has committed suicide.

6. Having regard to the submissions made on behalf of the parties and taking into consideration the nature of allegation and the fact that the money transaction had taken place between co-accused Laxmi Kant and the son of the informant, I am inclined to grant the petitioners privilege of anticipatory bail.

7. This application is, accordingly, allowed.

8. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs.



10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali, Hajipur, in connection with Bhagwanpur Police Station Case No. 219 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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