

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82556 of 2023

Arising Out of PS. Case No.-285 Year-2023 Thana- GAYA KOTWALI District- Gaya

Himanshu Agrawal @ Himanshu Kumar @ Himasnhu Kumar, S/O Rajesh Agarwal @ Rajesh Prasad, R/O Mohalla- Swarajpuri Road, Dholakiya Gali, P.S- Kotwali, Distt.- Gaya, Pin- 823001.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabindra Nath Tiwari, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 10-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In this case, the petitioner is apprehending his arrest in connection with Gaya Kotwali P.S. Case No. 285 of 2023, registered on 18.04.2023 for the offences under Sections 306 and 34 of the Indian Penal Code.

3. As per prosecution case, minor daughter of the informant committed suicide on account of instigation and abetment by the petitioner and his family members.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The FIR was registered after 15 days of the alleged occurrence but there is no material to show that the petitioner



instigated the daughter of the informant to commit suicide. Petitioner is a young boy aged about 19 years and student of I.Com. One special report bearing Special Report No. 883 of 2023 was recorded by the police but no FIR was instituted on its basis and the investigation is completely vitiated. Petitioner has got no criminal antecedent.

5. Learned APP opposes the prayer for bail submitting that there is specific allegation against the petitioner that at his instigation, the minor daughter of the informant was committed suicide.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the distinct lack of substantive material against the petitioner to connect him with the offence as alleged coupled with possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya/court concerned in connection with Gaya Kotwali P.S. Case No. 285 of 2023, subject to the conditions



as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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