

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66470 of 2025

Arising Out of PS. Case No.-41 Year-2025 Thana- Haraiya District- East Champaran

Akash Kumar Giri S/o Prem Giri R/o Hajmatola, P.S.- Haraiya, District- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Patanjali Rishi, Advocate
For the Opposite Party/s	:	Mr. Jitendra Kumar Singh, APP
For the Informant	:	Mr. Sumit Kumar Gupta, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 18-09-2025 Heard Mrs. Patanjali Rishi, learned counsel for the petitioner and Mr. Sumit Kumar Gupta for the informant beside Mr. Jitendra Kumar Singh, learned APP.

2. The petitioner is apprehending his arrest in connection with Haraiya P.S. Case No. 41 of 2025 for the offence under sections 103(1) and 3(5) of the BNS lodged on 18.04.2025 by the informant, Pammi Devi.

3. As per the prosecution story, the informant alleged that she had gone to the Temple and upon return, found the main gate closed. As despite knock, the daughter failed to react, they entered the house through Bamboo ladder and found her hanging on the railing of the stairs. As this petitioner used to teach her and had an evil eye on her as also, earlier, threatened her, this led to FIR against him.



4. Learned counsel for the petitioner submits that the perusal of the FIR would show that the girl committed suicide, the door was locked, the informant has to enter the house through the Bamboo ladder. For long, he has stopped teaching her, has no criminal antecedent and shall be diligently appearing in trial.

5. Learned counsel for the informant on the other hand submits that the petitioner had an evil eye on her and always used to threaten her to make relationship or else to face the dire consequences, this led to the ultimate death of the minor girl.

6. Taking into account the submissions of the parties as also that the learned Sessions Judge has clearly observed that the death occurred by asphyxia due to hanging, the door was closed when the informant reached there, she was found hanging with the railing of the stairs, this petitioner has no criminal antecedent, FIR is there and he shall be facing the trial, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Raxaul, East Champaran in connection with Haraiya P.S. Case No. 41 of 2025



subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

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