

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9348 of 2026

Arising Out of PS. Case No.-199 Year-2025 Thana- KURSAILA District- Katihar

Awadhesh Prasad @ Abdhesh Prasad @ Awadhesh Chaurasia S/o Late Ramlal Prasad R/o Village- Gopalpur, P.S- Gogri, Dist- Khagaria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Saroj Kumar Sharma, Advocate
	:	Mr. Vikash Kumar, Advocate
	:	Ms. Neha Sarika, Advocate
For the Opposite Party/s	:	Dr. Ajeet Kumar, A.P.P.
For the Informant	:	Mr. Diwakar Yadav, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 01-04-2026 Heard learned counsel for the petitioner, learned counsel for the informant and learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 23.11.2025 in connection with Kursela P.S. Case No. 199 of 2025 for the offences punishable under Sections 108, 3 and 5 of BNS.

3. The prosecution story, in brief, is as follows: -

(a) That the informant namely Gayatri Devi, stated in his written application before the SHO, Kursela that her son namely Vikram Kumar started Maa Kamakhya Fashion Show Room, Purnia in partnership with Vinita Kumari during festive



season of Durga Puja 2023. It was doing good business. It is further submitted that during November December 2024, Vinita Kumari and her husband Shankar Kumar started putting pressure upon her son Vikram to invest more capital in the said showroom.

(b) That it has been further stated that the son of the informant Vikram Kumar invested Rs. 20,00000/- (Twenty Lakhs) Rupees by mortgaging his house in the bank. After some time, son of the informant told her that Vinita Kumari and her husband Shankar Kumar were threatening him to throw out of the partnership agreement. It is further alleged by the informant that when her son demanded back his money which he invested in the partnership firm, but both of them avoided to pay back. The matter was also reported to MP Purnia who directed them return the money and settle the issue.

(c) That it is further alleged that in the last of August 2025, Shankar Kumar ousted her son from the said showroom, due to which her son joined another shop for his livelihood in the nearby area. Due to expulsion from the Partnership, son of the informant started living in stress and was trying to recover his invested money.

(d) That it has been further alleged by the



informant that, on 04-09-2025 at about 9 A.M, her son after taking meal told her that he was going to resolve the dispute of account with his partner. After sometime, the informant also followed her son to the showroom. When she reached there, she could not find her son there. Petitioner was present there. He scolded her and asked her to get out. The informant tried to contact her son on his mobile but could not succeed.

(e) That it has been further submitted by the informant, that after sometime her son called her and told her that Vinita Kumari and Shankar Kumar replied him that there was no due against them and they would not return him any amount and clearly told her son to do whatever he could do. The informant told her son to return her son back home but he didn't return.

(f) That it has been stated by the informant, on the same day in the evening she came to know through social media, his son's Bullet Motorcycle was found at Kursela Bridge and then kept in Kursela police station premises. The informant further added that her relatives went there for confirmation and came to know that her son Vikram committed suicide by jumping from Kursela Bridge and could not be recovered even after best efforts of S.D.R.F. in the light of aforesaid facts the



informant expressed her faith that Vinita Kumari, her Husband Shankar Kumar and her father Awadhesh Chaurasiya (petitioner) conspired to cheat her son's invested money and compelled him to commit suicide.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and the allegation as alleged in the FIR is forged and fabricated and the petitioner has not committed any offence as alleged in the FIR. Learned counsel for the petitioner submits that from bare perusal of the FIR it appears that son of the informant has committed suicide himself and petitioner has no role at all in the present occurrence and he has been made an accused in the present case based on previous dispute between the parties and police after investigation has submitted charge-sheet and petitioner is in custody since 23.11.2025.

5. The learned Additional Public Prosecutor for the State and learned counsel for the informant, on the other hand, have vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned CJM,



Katihar in connection with Kursela P.S. Case No. 199 of 2025,
subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be canceled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

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