

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42818 of 2026

Arising Out of PS. Case No.-12 Year-2026 Thana- KHODAWANDPUR District- Begusarai

Vivek Kumar Son of Sudheer Rai @ Sudhir Ray Resident of Village-
Mohanpur, Ward No. 1, P.S.- Khodawandpur, District- Begusarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Saroj Kumar Sharma, Advocate

For the Opposite Party/s : Mr.Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 07-07-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The accused-petitioner, named in the F.I.R., is apprehending his arrest in connection with Khodawandpur P.S. Case No. 12 of 2026 registered for the offences punishable under Sections 108 of the Bhartiya Nyay Sanhita, 2023 (in short, the 'B.N.S.').

3. The allegation against the petitioner is to call the minor daughter of the informant from different mobile Nos. 6206403646, 9199325794 & 8873697552. It is alleged that accused/petitioner kept the minor daughter of the informant under love trap, luring, coaxing, making false promises, mental pressure, threats, defamation and emotional exploitation through phone messages/call from the aforesaid mobile numbers, due to which the daughter of the informant got extremely upset as disclosed by



her and due to aforesaid behaviour of the accused/petitioner, she committed suicide.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner was in talking terms with the informant being co-villager. It is submitted that he also visited on and off to the house of the informant related with neighbourhood/village issues, but the allegation, as alleged, is completely false and concocted. It is submitted by learned counsel that in fact informant was in extramarital affairs, due to which they usually quarreled with each other, for which the minor daughter of the informant was getting very upset and, therefore, she committed suicide and just to save himself from legal clutches, the petitioner, who is an innocent person and helped the informant on different occasion, was implicated falsely with the present crime in question. It is submitted by learned counsel that nothing alleged through FIR or nothing transpired during investigation, which may suggests that the act of petitioner was so active or direct which forced the minor daughter of the informant to commit suicide without leaving any other option. In support of his submission, learned counsel relied upon the legal report of Hon'ble Supreme Court as available through **Gurucharan Singh Vs. State of Punjab** reported in **(2017) 1 SCC 433**. Petitioner claimed clean antecedent.

5. Learned A.P.P. for the State, while opposing the prayer



for anticipatory bail of the petitioner, submitted that allegation is specifically available against the petitioner.

6. In view of the aforesaid factual submissions and by taking note of the fact as the basis of implication *prima facie* appears founded upon suspicion out of phone calls etc., where nothing alleged to suggest that the act of petitioner was so active or direct which forced the minor daughter of the informant to commit suicide without leaving no other option, accordingly, above-named petitioner, who is a man of clean antecedent, in the event of his arrest/surrender within a period of four weeks from this order, is directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Manjhaul, Begusarai/concerned court in connection with Khodawandpur P.S. Case No. 12 of 2026, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

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