

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30155 of 2014

Arising Out of PS.Case No. -46 Year- 2011 Thana -KANHAULI District- SITAMARHI

=====

1. Jeetendra Tiwary @ Chunchun Tiwary S/o Sukhdeo Tiwary, R/O
Village- Khoparaha, P.S- Kanhauli, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vaidehi Raman Prasad Singh, Advocate.

For the Opposite Party/s : Mr. Manoj Kumar(App)

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 12-03-2015 Heard both sides.

The petitioner apprehends his arrest in Kanhauli P.S.
Case No. 46 of 2011, registered for the offences punishable under
Sections 376, 302 and other Sections of the Indian Penal Code.

The father of the victim alleged that the petitioner along
with other accused persons brutalized the victim and on alarm her
maternal grand-father came. The victim was mentally shocked and
she herself committed suicide after pouring kerosene oil and
ignited fire.

Shri Vaidehi Raman Prasad Singh the learned counsel
for the petitioner submits that the date of occurrence is
3/4.08.2011. The informant-complainant knew about the
occurrence on 18.08.2011, but the complaint petition was filed on

24.08.2011. After institution of the case the maternal grand-father of the victim was examined and he disclosed the name of Arjun Mahto and did not name the petitioner. In the year 2013, the witnesses came and gave story that the victim went outside the house.

On perusal of the records, it appears that the father of the victim made specific allegation of committing rape with the victim, minor girl and the victim herself committed suicide on being brutally ravished. In such type of occurrences the delay of lodging is immaterial.

Considering the gravity of the offence, I do not find the case fit for grant of anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

KKSINHA/-

U		T	
---	--	---	--