

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.1621 of 2016

Arising Out of PS.Case No. -67 Year- 2015 Thana -DARPA District-
EASTCHAMPARAN(MOTIHARI)

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Bhrigunath Tiwari @ Bhirgunath Tiwari son of Late Bindeshwar Tiwari
resident of Village - Narkatiya, P.S. - Darpa, District - East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

3 03-03-2016

Heard learned counsel for the petitioner and learned

counsel for the State.

Petitioner is accused in connection with Darpa P.S.

Case No. 67 of 2015 registered under Sections 376, 302, 201, 324
and 307 of the I.P.C.

The allegation of the informant, Sushma Devi is that
after marriage she lived at her Sasural two years properly but
thereafter, her father-in-law, petitioner, developed physical
relation forcibly giving threatening of her killing in case of
making complaint. Due to fear she could not complain anyone and
she was being raped by the petitioner. While she complained her
mother-in-law, but due to prestige of the family, she also did not
make protest. One day petitioner drown her two years daughter
into hot water, who was done to death. Further, allegation of
informant is that her husband is deaf and dumb, due to that reason,

he did not take care of any complaint.

Learned counsel appearing on behalf of the petitioner submits that in fact, Rinki Kumari, minor daughter of the informant, was kidnapped by Vickey Pandey, nephew of the father of the informant, regarding which Darpa P.S. Case No. 43 of 2015 was instituted under section 366A/34 of the I.P.C. on 20.05.2015 in which father and other family members of the informant are accused. Due to that reason, Suresh Mishra, father of the informant got managed to lodge the present case after two months of the aforesaid case with false allegation only to put under pressure. Further submission is that petitioner has no criminal antecedent and is in custody since 20.07.2015.

Having considered the facts and circumstances of the case, let the above named petitioner 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 Judicial Magistrate, 1st Class, Raxaul, East Champaran in connection with Darpa P.S. Case No. 67 of 2015.

(Rajendra Kumar Mishra, J.)

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