

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46748 of 2015

Arising Out of PS.Case No. -117 Year- 2014 Thana -MAHILA P.S. District- PURNIA

Raja Murmu @ Hem Raj Murmu, son of Sidho Murmu, resident of Pradhan Tola, P.S. Madhubani K. Hat, District-Purnea.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 15-02-2016 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in connection with Mahila P.S. Case No.117 of 2014 registered under Sections 448, 342 and 376/34 of the Indian Penal Code.

The prosecution case is that on 01.12.2014 in the night, the petitioner entered the house of the informant Paro Marandi stealthily and forcibly committed rape on her. On the next day, i.e., 02.12.2014, regarding the said occurrence, complaint was made by the parents of the informant to the parents of the petitioner and a Panchayati was also arranged, in which the petitioner and his father admitted guilt and they became ready to perform the marriage of the petitioner with the informant. Thereafter, the informant was taken away by this petitioner to his house and stayed there for about 15 days. On 15.12.2014, the

petitioner left the informant and his father ousted the informant from his house saying that his son would not perform the marriage with her.

Learned counsel appearing on behalf of the petitioner submits that, in fact, there was love affair between the informant/victim, which is supported by the mother of the informant/victim in paragraph-3 of the case diary. Moreover, on medical examination of the victim, no sign of rape was found by the doctor on her person, which would appear from paragraph-14 of the case diary. The petitioner having no criminal antecedent is in custody since 05.07.2015.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the C.J.M., Purnea, in connection with Mahila P.S. Case No.117 of 2014. Out of the two sureties, one must be close relative of the petitioner, who will file an affidavit giving genealogy as to how he/she is related with the petitioner. The bailors will undertake to furnish information to the court about any change in the address of the petitioner.

(Rajendra Kumar Mishra, J)

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