

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51004 of 2015

Arising Out of PS.Case No. -122 Year- 2015 Thana -GAUNAHA District-
WESTCHAMPARAN(BETTIAH)

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1. Anil Raja S/o Bhuwaliya Mukhiya r/o Parshamatiya Naya Basti
Banguraha, P.S. Lauwariya Dist. W. Champaran

2. Bhutkun Mukhiya S/o Satan Mukhiya r/o Sanichari Koti, P.S. Sanichari,
Dist W. Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2

For the Opposite Party/s : Mr. Surendra Pd.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 10-02-2016 Heard learned counsel for the petitioner no.1 and the
State.

Petitioner no.1 is apprehending his arrest in connection
with Gaunaha P.S.Case no. 122 of 2015 instituted under Sections
376, 302, 120B of the Indian Penal Code.

The allegation against petitioner no.1 is that he
along with other FIR named accused persons under planned
conspiracy committed rape with the daughter of the informant,
namely, Laxmina Devi, and thereafter killed her and threw her
dead body in cane field near the house of the informant. It is
further alleged that the petitioner and other co-accused persons
burnt the dead body of informant's daughter towards one

kilometer west of the village.

It has been submitted on behalf of petitioner no.1 that he has no criminal antecedent. It is further submitted that FIR has been instituted after seven days of the alleged occurrence and no explanation has been made on behalf of the prosecution. There is no eye witness to the alleged occurrence nor any circumstantial evidence to support the allegations made in the FIR. It is further submitted that he has been made accused in this case only on the basis of suspicion.

On behalf of the State, it is submitted that the petitioner is named in the FIR.

Considering the aforesaid facts, let the above named petitioner no.1 (Anil Raja), in the event of his arrest or surrender in the court below within a period of six weeks from today, 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 learned C.J.M., West Champaran at Bettiah in connection with Gaunaha P.S. Case No. 122 of 2015, subject to the conditions as laid down u/s 438(2) Cr.P.C.

(Sudhir Singh, J)

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