

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15333 of 2017

Arising Out of PS.Case No. -1 Year- 2017 Thana -MAIGRA District- GAYA

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Gunjan Das @ Gunjan Kumar Das, S/O Rajgir Das, Resident of Village-
Narayanpur, P.S.- Maigra, District- Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rashid Izhar, Advocate.

For the Opposite Party : Mr. Damodar Prasad Tiwary, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 19-04-2017 Heard both sides.

The petitioner seeks bail in Maigra P.S. Case No. 1 of 2017,
registered for the offence punishable under Sections 376, 306, 323 and
34 of the Indian Penal Code.

The father of the deceased alleged that on 28.12.2016 his
daughter went to attend call of nature, but the petitioner forcibly
committed rape with her. On protest the petitioner is alleged to have
assaulted the deceased. The deceased complained to parents of the
petitioner, but the parents of the petitioner also ill treated with her and
consequently the deceased committed suicide.

Learned counsel for the petitioner submits that informant is
the father of the deceased. The father of the deceased made his
fardbeyan on 1st January, 2017 and the occurrence took place on
28.12.2016. The grand-mother of the deceased made her fardbeyan on



the basis of which Maigra U.D. Case No. 3 of 2016 was registered. The grand-mother of the deceased alleged that her grand daughter Kajal Kumari committed suicide by tying sari in her neck. The grand-mother of the deceased went to the room and found her grand-daughter Kajal Kumari lying dead. The grand-mother did not whisper even a single word against the petitioner. Hemanti Kumari, the sister of the deceased, was present on the date of occurrence and she disclosed her father about the occurrence, but she did not make such statement before the police or before her grand-mother at the time of institution of U.D. Case. The informant lodged the case after three days of the occurrence.

Considering the facts aforesaid and the facts that the post-mortem report shows that no sign of rape was found, the petitioner above named is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate 1st Class, Sherghati, Gaya in Maigra P.S. Case No. 1 of 2017.

(Prabhat Kumar Jha, J.)

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