

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32434 of 2017

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

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1. Jitendra Tiwary @ Chunchun Tiwary, son of Sukhdeo Tiwary, resident
of village- Khoparaha, P.S. Kanhauli, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Verma, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 02-08-2017

Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The Petitioner seeks bail in Kanhauli P.S. Case
No.46 of 2011 instituted for the offence under Section(s) 376, 302,
201 Indian Penal Code.

It is alleged in the written report that this petitioner
along with other accused after committing rape upon the minor
daughter of the informant fled away. Maternal grand father and
other family member of the deceased reached the place of
occurrence and brought the victim girl, who was in unconscious
state, in house. The prosecution party thought to report the matter
to the police in the morning since it was night. The daughter of the
informant was mentally tortured. She was frightened. On
04.08.2011, in the morning, the daughter of the informant



sprinkled kerosene oil over body and set herself on fire.

It has been submitted that maternal grand-father, Narayan Sah, in his statement in para 5 and other witnesses in para 70, 71, 72 of the case diary have stated that the deceased was taking name of Arjun Mahto while she was under flames.

The learned APP after verifying the case diary has submitted that the witnesses have stated that the deceased was taking name of Arjun Mahto.

From the written report itself, it appears that the deceased herself set her ablaze.

In the facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the Petitioner, above named, be released on bail on furnishing bail bond of ₹10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Sitamarhi, in connection with Kanhauli P.S. Case No.46 of 2011, subject to the conditions that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

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