

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15301 of 2019

Arising Out of PS. Case No.-493 Year-2018 Thana- DANAPUR District- Patna

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DILKHUSH JHA @ DINESH JHA Son of Raja Jha Resident of Village -
Raghopur Chainpura, P.S.- Raghopur, Distt - Vaishali at present resident of
village - Fatuha (House of Bhim Singh), P.S.- Fatuha, Distt - Patna.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Janki Devi Wife of Mintu Jha Resident of Village - Raghopur Chainpura,
P.S.- Raghopur, Distt - Vaishali. At present resident of Gabhtal Gandhi
Nagar, P.S. - Danapur, Distt - Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sabal Kumar Jha
For the Opposite Party/s : Mr.Ram Sumiran Rai

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 29-05-2019 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in **Danapur P.S. Case No. 493**
of 2018, instituted for the offence under Section(s) 363, 366A, 406,
379, 323,504 and 506/34 of the Indian Penal Code.

It is alleged in the written report that on 5.7.2018 at 5:00
p.m. when the informant returned to her house from her neighbour's
house saw that her husband was doing objectionable behaviour with
her daughter Roma Kumari aged about 16 years. When the
informant told her husband that why he was committing such
objectionable act, he assaulted the informant with fists and slaps.
Thereafter, the informant went to market to purchase vegetable and
when she returned he found her daughter and husband disappeared



from the house. During course of search, she learnt that both were seen going to Danapur by Tempo.

Counsel for the petitioner submits that victim girl has given statement under Section 164 Cr. P.C. wherein she has levelled specific allegation of committing rape with her against her father Mantu Jha. The informant has also levelled specific allegation of committing illegal act with her daughter against husband Mantu Jha. Petitioner is brother of Mantu Jha. There is no specific allegation of overt act against the petitioner.

Petitioner is in custody since 16.11.2018 having clean antecedent.

Considering the aforesaid 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 Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of **learned Additional Chief Judicial Magistrate-1st, Danapur**, in connection with **Danapur P.S. Case No. 493 of 2018**, subject to the condition that both the bailors will be the close relatives of the petitioner.

(Sanjay Priya, J)

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