

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55525 of 2019

Arising Out of PS. Case No.-468 Year-2019 Thana- SAHARSA District- Saharsa

Sanni Gupta @ Sanni Kumar Son of Janardan Gupta Resident of Village P.O.
and P.S.- Behra, District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Rajeev

For the Opposite Party/s : Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-09-2019 Counsel for the petitioner is permitted to make necessary
correction in paragraph-1 of the main application in course of the
day.

Heard learned counsel for the petitioner, O.P. No. 2 and
learned APP for the State.

The petitioner seeks bail in a case initially, registered under
Sections 363, 365 of the Indian Penal Code and after investigation,
charge sheet was submitted under Sections-323, 341, 363, 365, 366,
376, 504 & 509 of the Indian Penal Code.

Allegedly, the wife and the son of the informant were found
missing from his Sasural.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. The petitioner
is in custody since 27-05-2019. Charge sheet has already been



submitted. The petitioner has been falsely implicated in the present case. The photographs of the petitioner and the victim have been annexed as Annexure-3 series to this application, which shows that the petitioner and the victim had intimate relationship prior to the date of occurrence. The medial examination report is Annexure-2 to the present application. Following is the opinion of the doctor:

“(i) *No sign of sexual assault.*

(ii) *Her age is between seventeen to nineteen years”.*

As per the medical examination report, the allegation of commission of rape is not supported. The statement of the victim recorded under Section 164 of Cr.P.C. is Annexure-5 to the application.

On behalf of the State and O.P. No. 2, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa in connection with Saharsa Sadar P.S. Case No. 468 of 2019.

(Sudhir Singh, J)

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