

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77079 of 2018

Arising Out of PS. Case No.-388 Year-2017 Thana- NAUTAN District- West Champaran

Naresh Ram, Son of Balkishun Ram, Resident of Village- Shivrajpur, Ward
No. 4, P.S.- Nautan, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Aditya Nath Jha, Advocate.
For the informant	:	Mr. Naresh Nandan, Advocate.
For the Opposite Party/s	:	Dr. Mrityunjaya Kr. Gautam, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 07-03-2019 Heard learned counsel for the petitioner, counsel
for the informant and the State.

The petitioner seeks bail in **Nautan P.S. Case No. 388 of 2017**, instituted for the offence under Section(s) 376, 420, 504 and 506 of Indian Penal Code.

Counsel for the petitioner submits that husband of the informant has taken loan of Rs.30,000/- from the petitioner and when he made demand of his money, the instant case has been filed.

It is alleged in the written report by the informant that petitioner along with 3-4 unknown persons entered into the room while she was sleeping with her two children. It is further alleged that petitioner on the point of gun committed rape with



her. He also took nude photograph from the mobile of informant and sent it to Whatsapp and started blackmailing her.

Counsel for the petitioner submits that in the written report there is no mention about any date of occurrence. The victim girl has not been medically examined. There is no statement of victim girl recorded under Section 164 Cr. P.C.

Counsel for the petitioner has submitted that statement of husband and daughter of victim girl have been recorded in paragraphs 7 and 10 of the case diary. The statement of parents of the victim girl (informant) have been recorded in paragraphs 8 and 9 of the case diary. From perusal of statement of the witnesses in the case diary, it appears that general and omnibus allegation has been levelled by them against the petitioner.

Petitioner is in custody since 21.7.2018 having clean antecedent.

Counsel for the informant has appeared and opposed the prayer for bail.

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, West Champaran at Bettiah, in connection with **Nautan P.S. Case No. 388 of 2017,** subject to the condition that both the bailors will be close relatives of the petitioner.

(Sanjay Priya, J)

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