

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2423 of 2022

Arising Out of PS. Case No.-71 Year-2021 Thana- KINJAR District- Jehanabad

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BRAJESH JHA @ BRAJESH KUMAR JHA Son of Laxmi Jha Resident of
Sitaram Chamariya, College Road, Udayganj, Michaibari, P.S.- Michaibari,
Katihar, District- Katihar. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Y.C. Verma, Sr. Adv.
Mr. Madhav Raj
For the Opposite Party/s : Mr. Ram Anurag Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 01-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Kinjar P.S. Case no. 71 of 2021 instituted for the offence
punishable under Sections 376, 306 and 504 of the Indian Penal
Code.

Firstly an U.D. Case No. 01 of 2021 was registered
and thereafter after making enquiry, the present case has been
lodged against the petitioner. As per allegation in the FIR,
petitioner was having love affair with the deceased. On the
pretext of marriage, petitioner established physical relationship
with her and later on he pressurized the deceased to quit the job
of constable, if she wants to marry him. Due to this condition,
deceased was under deep mental stress and ultimately she



committed suicide by hanging herself.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. Neither there is evidence on record regarding abatement done by him nor there is direct allegation of his complicity in the alleged incident. There is unexplained delay of about four months in lodging the FIR. Petitioner is an employee in Railway and he never met with the deceased except talking on mobile. In post-mortem report, no sign of sex was found by the doctor.

Learned APP appearing for the State has opposed the prayer of Bail and submitted that during investigation witnesses have supported the prosecution case and the case is based on circumstantial evidence.

Having heard learned counsel for the parties and taking into consideration that from perusal of the case diary, it appears that this case is based on circumstantial evidence, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

(Sunil Kumar Panwar, J)

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