

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72031 of 2023

Arising Out of PS. Case No.-63 Year-2023 Thana- GAUNAHA District- West Champaran

Chansi Kumar @ Chandshi Patel Son Of Sanjay Patel Resident Of Village -
Jadiya Murli, P.S. - Gaunaha, District - West Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Gupta

For the Opposite Party/s : Mr.Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 05-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 201, 354(A)/34 of the Indian Penal Code.

3. As per prosecution case, the informant alleged that her niece was married to brother of the petitioner in the year of 2017. On 17.4.2023, the petitioner is said to have sexually assaulted the niece of the informant. It is further alleged that the petitioner committed murder of the deceased by throttling.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is brother-in-law (devar) of the deceased due to which he has falsely been implicated in this case. From perusal of vide



para-61 & 68 of the case diary in which summary of video call recording between the deceased and the petitioner has been mentioned, it appears that the deceased herself committed suicide after taking with the petitioner. It is also submitted that after completion of the investigation, charge-sheet has been submitted u/s 306 of the I.P.C. Several witnesses have been examined during investigation who have not stated the involvement of the petitioner in the alleged occurrence. The petitioner has got no criminal antecedent and languishing in judicial custody since 24.4.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge him on bail. The above named petitioner is directed to be released on bail in connection with Gaunaha P.S. Case No. 63 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned AC.J.M.-II, Bettiah at West Champaran.

(Sunil Kumar Panwar, J)

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