

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36264 of 2024

Arising Out of PS. Case No.-43 Year-2023 Thana- RAMPUR HARI District- Muzaffarpur

Gunjan Kumar Son of Rajesh Sahni Resident of Village - Mahindwara, P.S. - Mahindwara, Distt. - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mritunjay Kumar
For the Opposite Party/s : Mr.Satya Nand Shukla

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 26-09-2024 Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor for the State.

2. The petitioner is seeking regular bail in connection with Rampur Hari P.S. Case No. 43 of 2023 for the offences punishable under Sections 302/34 of the Indian Penal Code.

3. The allegation against the petitioner and other accused persons are to entice away the daughter of the informant. Thereafter, the dead body of informant's daughter was found hanging in *Bathan*.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. He has further submitted that as a matter of fact, petitioner's brother (co-accused) Suraj Kumar had love and affection with the deceased. Co-accused Suraj Kumar and the



deceased were apprehended in objectionable position by the informant and other villagers and that is why the deceased committed suicide. He has also submitted that in supervision note, no case under Section 376 was found to be true. He has next submitted that the statement of the informant is contrary to the witnesses in paragraph nos. 7 and 8 of the case diary. The informant states that he saw the dead body of her daughter hanging in *Bathan* whereas the witnesses in paragraph nos. 7 and 8 of the case diary have stated that the informant came and asked her daughter (the deceased) to go to home. He has further submitted that the witnesses in paragraph nos. 40 and 41 of the case diary have stated that the deceased was caught in compromising position. Later on, the dead body of the deceased was found hanging in *Bathan*. The petitioner is a person of clean antecedent and is under custody since 17.11.2023.

5. On the other hand, the learned APP has opposed the prayer for bail.

6. Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand rupees) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, POCSO-III,



Muzaffarpur in connection with Rampur Hari P.S. Case No. 43 of 2023, subject to the condition that the petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Nawneet Kumar Pandey, J)

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