

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83298 of 2024

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

Suraj Kumar S/O Baijnath Sahni R/O Vill.- Mahindbara, P.S- Mahindbara,
District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mritunjay Kumar, Adv

For the Opposite Party/s : Mr.Jai Narain Thakur, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 04-04-2025 Heard learned counsel for the petitioner and the

State.

2. The petitioner makes a prayer for grant of regular bail in connection with Rampur Hari P.S.Case No. 43 of 2023 registered under section 302/34 of the Indian Penal Code.

3. It would appear from perusal of the FIR, that daughter of the informant was enticed away by two persons, one being the petitioner and other, Gunjan Kumar. It is alleged that when the informant woke up in the night at 1.30 am he found his daughter missing and on search, he found that two persons were running away and his daughter was lying dead in the *bathan* hanging from her *duppata*.

4. Learned counsel for the petitioner submits and it would also appear from perusal of the case diary that as a matter



of fact, the informant's daughter was in love relationship with the petitioner Suraj Kumar and they were found in objectionable position by the informant and the villagers and it is for this reason, the deceased has committed suicide. Paragraphs 7, 8, 9, 40, 41 of the case diary would reveal a different story from the first information report and the perusal of the same would go to show that the informant asked his daughter to go back home and it is only inside in the *bathan* of her house that she was found hanging. Paragraph 111 of the case diary contains the post mortem report, which also goes to show that cause of death is ante- mortem hanging. The vaginal swab of the deceased was also sent for FNAC report and no spermatozoa was found. Learned counsel for the petitioner submits that the occurrence took place on 14.09.20203 while the matter was reported on 16.09.2023 after due thought and deliberation. The petitioner has no criminal antecedent and charges have already been framed.

6. Considering the aforesaid facts and that charges have been framed and till date no witness has been examined, the petitioner is enlarged 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 Exclusive Special Judge,



POCSO, Muzaffarpur in connection with Rampur Hari P.S.Case
No. 43 of 2023.

7. However, it is said that the petitioner would attend
to the dates given by the trial court regularly.

(Soni Shrivastava, J)

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