

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.26561 of 2015**

Arising Out of PS.Case No. -26 Year- 2008 Thana -KALUAHI District- MADHUBANI

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1. Anil Yadav Son of Ram Udgar Yadav,  
2. Lal Bahadur Yadav, Son of Ram Udgar Yadav, resident of Village-  
Malmal, P.s. Kaluahi, District- MAdhubani.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Ram Shankar Das(Spl.App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      27-07-2015                      Heard learned counsels for the petitioners and the State.

The petitioners are languishing in custody since 20.1.2015 in a case registered for the offences punishable under Sections 448,376,313 and 506/34 of the Indian Penal Code and section 3(1)(x) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act.

It is alleged that the daughter of the informant namely Khusboo had gone to her brother's house on the eve of Rakhi when co accused Shyam Yadav ravished her. When she returned home, protest was made, thereafter Shyam yadav and these petitioners gave some tablet, as a result the pre-matured pregnancy of the victim got terminated.

It is submitted by the learned counsel for the petitioners that on conclusion of investigation, the petitioners were not sent up for trial but differing with the final form cognizance has been taken.

Considering the fact that the thrust of accusation is against Shyam Yadav, the investigation being concluded and Statement made in paragraph 3 of the petition that the petitioner has no criminal antecedent, let the above named petitioner 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 Sessions Judge, Madhubani in connection with S.T. No. 85 of 2015 arising out of Kaluahi (Khajouli) P.S. Case No. 26 of 2008.

**(Dinesh Kumar Singh, J)**

Anil/-

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