

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25472 of 2015

Arising Out of PS.Case No. -1047 Year- 2009 Thana -MADHUBANI COMPLAINT CASE District-
MADHUBANI

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1. Ganesh Yadav son of Malehu Yadav Resident of village sankorth, PS
Pandaul, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ranjna Devi wife of Chandeshwar Yadav r/o Sankorth Ps. Mandal
District- Madhubani.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Soban Asghar

For the Opposite Party/s : Mr. S.N.Shukla(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-07-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered
under sections 323, 341, 504, 354, 379 of the Indian Penal Code.

Prosecution case in short is that some altercation took
place between the father of the complainant and the accused persons in which
the petitioner Urmila Devi was abusing to the father of the complainant and
when the informant prohibited her whereupon both the accused persons
became angry with her and abused her. Thereafter petitioner Ganesh yadav
assaulted the complainant by fist and slap and Urmila Devi threw her down
after catching hold of her hair and snatched her Hasuli and also tore her
cloth. On the next day when the informant was going to Madhubani then
both the accused persons chased her by rickshaw and near the Kamla bridge
Sarbadih both the accused persons surrounded her and after some whisper in

between both the petitioners, petitioner Urmila Devi went to Madhubani by the said rickshaw and petitioner Ganesh Yadav roped the moth of the complainant by Gamchcha and took her in the lonely place pulled her down and forcibly tried to commit rape.

It has been submitted on behalf of the petitioner that petitioner has falsely been implicated in this case. It is further pointed out that vide annexure-2 it is apparent that a proceeding under section 107 Cr.P.C. is going on between the parties and for the said reasons the present prosecution has been brought against the petitioner.

On behalf of the State it is submitted that petitioner is named in the first information report.

Considering the aforesaid facts the above named petitioner in the vent of his arrest or surrender before the court below within a period of four weeks from the date of receipt /production of a copy of this order is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of Shri A.K. Pandey, Judicial Magistrate, Ist Class, Madhubani in C.R. Case No. 1047 of 2009, subject to the conditions as laid down under section 438(2) Cr.P.C.

(Sudhir Singh, J)

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