

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56305 of 2015

Arising Out of PS.Case No. -56 Year- 2015 Thana -MAHILA PS District- JAMUI

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Subodh Yadav, son of Sri Kariman Yadav, resident of Village-Chinbairiya,
P.S.-Laxmipur, District-Jamui

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prakash Mahto

For the Opposite Party/s : Mr. Satyendra Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-12-2015

Petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 147, 323, 376/511, 313, 452, 380 of the Indian Penal Code.

The prosecution case is that husband of the informant works at Kolkata. On 01.09.2014 the petitioner entered into the house of the informant and tried to ravish her. Thereafter on the next day, he again came along with others and asked her to call her husband otherwise son of the informant would be killed. The accused persons caught hold the son of the informant and tried to throw him into the well and when the informant came to rescue then petitioner, co-accused Kariman and Bablu Yadav made assault on her abdomen by means of leg and fists, as a result the five month's pregnancy of the informant got terminated.

It is submitted by learned counsel for the petitioner that petitioner is agnate of the informant and

petitioner has been roped in the present case in the background of land dispute. A report was called for by learned Court below from Referral Hospital, Laxmipur when the In-charge, Medical Officer, Referral Hospital, Laxmipur submitted a report vide Annexure-2 that informant gave birth to a child on 11.03.2015. There is no injury report of the informant on record.

A statement has been made in para 3 of the petition that petitioner is accused in one other case lodged by the informant.

Considering the accusation not being corroborated with the medical opinion, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Jamui in connection with Jamui Mahila P.S. Case No. 56 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Shageer/-

(Dinesh Kumar Singh, J)

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