

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20809 of 2015

Arising Out of PS.Case No. -71 Year- 1997 Thana -TRIVENIGANJ District- SUPAUL

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Brahmdeo Yadav, son of Late Yamun Yadav, Resident of Village-
Parsahi Police Station- Triveniganj District- Supaul.

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party.

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Appearance :

For the Petitioner/s : Mr. Ratnakar Ambastha, Advocate.

For the Opposite Party/s : Mr. Parmanand Kumar (A.P.P.)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-07-2015

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case
instituted under Section 376 of the Indian Penal Code.

The prosecution case in short is that on the alleged
date and time of the occurrence, the informant was widdling wield
grass in chilly crop field, the named accused Brahmdeo Yadav
(petitioner) suddenly caught hold her from behind and after
throwing on the ground committed rape upon her. Her Gotini
Durga Devi saw the occurrence. It is further alleged that after the
aforesaid alleged occurrence she came before her father-in-law
and villagers and disclosed everything before them and lodged the
case.

It has been submitted on behalf of the petitioner that
the petitioner has falsely been implicated in the present case. It

has further been submitted that police after investigation had found the case to be false and had submitted final form due to lack of evidence in the present case but the Court below had taken cognizance under Section 376/511 I.P.C.

On behalf of the State and informant, it is submitted that the petitioner is named in the F.I.R.

Considering the facts aforesaid, let the above named petitioner, in the event of his arrest or surrender in the Court below within a period of four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri S.C. Srivastava, learned Judicial Magistrate, Supaul in connection with Triveniganj Police Station Case No. 0071/1997 corresponding to G.R. No. 341/1997, subject to the conditions as laid down u/s 438 (2) Cr. P.C.

(Sudhir Singh, J.)

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