

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.9844 of 2016**

Arising Out of PS.Case No. -184 Year- 2015 Thana -MEERGANJ District- GOPALGANJ

Kanhaiya Yadav, son of Ramjee Yadav Resident of Pipra Khas, P.S.-  
Mirgan, District- Gopalganj.

.... .... Petitioner/s

Versus

The State of Bihar

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

**Appearance :**

For the Petitioner/s : Mr. Ghulam Rabbani

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

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR**  
**MISHRA**  
**ORAL ORDER**

2      20-04-2016      Heard learned counsel for the petitioner and the  
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection  
with Mirganj P.S. Case No. 184 of 2015 registered under Sections  
376, 511, 307/34 of the Indian Penal Code.

The accusation is that when the informant was  
going to Bathan from her house, Beera Yadav and Rudal Yadav  
trying to commit rape her but both were not succeeded due to  
raising alarm by her. In the meantime, Lallan Yadav and petitioner  
Kanhaiya Yadav reached then both admitted guilt in their present  
but also told that she will implicate them. Then petitioner  
Kanhaiya Yadav started to press her mouth by Gamchha and  
Lallan caused injury at her chest through brick. But on hulla,

Dinesh Yadav and Jhulas, brother and sister of informant reached there then all fled away.

Learned counsel appearing on behalf of the petitioner submits that in fact, the petitioner and informant are gotia and Shyam Bahadur Chaudhary father of informant has filed Partition Suit No. 367 of 2013, which is pending for disposal in the Court of Sub-Judge, Gopalganj in which father of the petitioner is defendant no.2 and only to give undue pressure, petitioner and his brother Lalan Yadav have also been made accused without overt act of attempt of committing rape by the informant.

Having considered the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Gopalganj in connection with Mirganj P.S. Case No. 184 of 2015 subject to the condition as laid down under Section 438(2) of the Cr. P.C.

**(Rajendra Kumar Mishra, J)**

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