

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17599 of 2016

Arising Out of PS.Case No. -36 Year- 2016 Thana -SAHKUND District- BHAGALPUR

1. Rakesh Yadav, S/o Bibhash Yadav
2. Mithun Yadav S/o Bishwanath Yadav

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr. Arun Kr. Panday (App)

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

3 25-05-2016

Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with
Sahkund (Sajour) P.S. Case No. 36 of 2016 registered for the
offence under Sections-341, 323, 379, 354(B), 504, 506/34 of the
Indian Penal Code.

It is contended on behalf of petitioners that whole
allegation, as set up in the first information report, is a cock and
bull story. It is highly improbable that a person, who has come for
the purpose of outraging modesty of a lady or even for committing
rape, belonging to the same village, would snatch the ear rings and
gold chain and run away. It is contended that the falsity of
accusation would be apparent from the fact that there has been a
delay of 8 days in lodging the first information report. The

informant has tried to explain the delay by saying that a Panchayati was being done in the village. It is further contended that the independent witnesses have stated that the story is false and Panchayati was done but was not successful and due to land dispute, a false case has been set up by the informant.

Having regard to the facts and circumstances of the case as well as submission of the parties, the petitioners named above, in the event of their arrest or surrender in the court below within four weeks shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Sahkund (Sajour) P.S. Case No. 36 of 2016 to the satisfaction of learned Sub Divisional Judicial Magistrate, Bhagalpur subject to conditions as laid down u/S 438(2) of the Cr. P.C.

A.K.V./-

(Dr. Ravi Ranjan, J.)

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