

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22968 of 2016

Arising Out of PS.Case No. -7 Year- 2016 Thana -MAHILA P.S. District- BHABHUA (KAIMUR)

Virendra Yadav, son of Ramji Yadav, resident of Village - Taraitha, P.S. - Ramgarh, District - Kaimur (Bhabua).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Vinod Kumar Seth, Advocate.

For the Opposite Party/s : Mr. Manoj Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 28-07-2016

Heard both sides.

The petitioner apprehends his arrest in Mahila (Bhabua) P.S. Case No. 07/2016 registered under Sections 323, 504, 376/511 of the Indian Penal Code.

The informant alleged that on 15.11.2015 the petitioner entered into her house and made an attempt to commit rape on her. Learned counsel for the petitioner submits that the occurrence took place 16 days prior to lodging of the present case. Kalwasi Devi, the mother of the petitioner, filed Complaint Case No. 1561/2015 on 30.10.2015 against the informant and her other family members for kidnapping her son. It is further submitted that the mother of the informant lodged Ramgarh P.S. Case No. 281 of 2015 under Sections 354, 323, 504, 506 of the Indian Penal Code against the petitioner and the petitioner has been granted

anticipatory bail in the aforesaid case. Thereafter, the informant filed the present case in which the petitioner has been falsely implicated.

Learned A.P.P. has, however, opposed the prayer for anticipatory bail.

It appears that the informant filed a complaint case making allegation that the petitioner made an attempt to outrage her modesty but, much prior to filing of the present case, the mother of the petitioner had filed Complaint Case No. 1561/2015 against the informant and her family members. The mother of the informant filed Ramgarh P.S. Case No. 281 of 2015 against the petitioner under Sections 354, 323, 504, 506 of the Indian Penal Code.

Considering the facts that there are many cases between the parties and the mothers of the petitioner and the informant both filed cases against each other, the above named petitioner, in the event of his arrest or surrender before the learned 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 the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Kaimur (Bhabua) in

Mahila (Bhabua) P.S. Case No. 07/2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Prabhat Kumar Jha, J)