

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27991 of 2016

Arising Out of PS.Case No. -177 Year- 2015 Thana -LAXMIPUR District- JAMUI
=====

Raj Kumar Yadav, Son of Bhelu Yadav, resident of Village - Chinberiya,
Police Station - Laxmipur, District - Jamui.

..... Petitioner/s
Versus
The State of Bihar.

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

Appearance :
For the Petitioner/s : Mr. Pramod Kumar
For the Opposite Party/s : Mr. Sri Sadanand Paswan
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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 15-07-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is accused in connection with Complaint
Case No. 1437C of 2015 arising out of Laxmipur P.S. Case No.
177 of 2015 registered under Section 376 of the Indian Penal
Code, Section 4 of the Protection of Children form Sexual
Offences Act and Section 3(XI) S.C./S.T. Act.

The allegation is that informant/complainant, aged
about 16 years, along with her uncle, Sewak Paswan, was
returning from Mathiya Market on bicycle. In the meantime, her
uncle started talking with a person then informant/complainant
moved forward and reached near Gaura Pahari, the petitioner
surrounded her and forcibly took her to Pahari. Thereafter, the
petitioner on the point of knife committed rape on her. While the

petitioner was committing rape, the uncle of the informant/complainant, who was coming, found informant's bicycle lying on the road, on which, the petitioner on seeing him flee away from the place of occurrence. When the informant/complainant along with her uncle went to petitioner's house to make protest then they were abused by the family members of the petitioner denoting their cast name.

Learned counsel for the petitioner submits that informant/complainant and the petitioner are residing in the same village and due to grudge enmity the informant/complainant got managed to implicate the petitioner in the present case with the help of her family members. It is further submitted that petitioner has no criminal antecedent and is in custody since 27.05.2016.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the J.M. Ist Class, Jamui, in connection with Laxmipur P.S. Case No. 177 of 2015. Out of two sureties, one surety must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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