

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.15564 of 2016**

Arising Out of PS.Case No. -205 Year- 2015 Thana -MAHILA P.S. District- SIWAN

=====

1. Ravi Kant Yadav S/o Ram Pravesh Yadav,  
2. Dilip Kumar Yadav, S/o Satya Narayan Yadav, Both are Resident of  
Village - Sahdauli, P.S. - Daraudha, District - Siwan.

.... .... Petitioners

Versus

The State of Bihar

.... .... Opposite Party

=====

**Appearance :**

For the Petitioners : Mr. Radha Mohan Pathak, Advocate

For the Opposite Party : Mr. Ram Sumiran Rai, A.P.P.

=====

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      03-05-2016      Heard learned counsel for the petitioners and learned  
counsel for the State.

The petitioners are apprehending their arrest in connection with Siwan Mahila P.S. Case No.205 of 2015 for the offence instituted under Section 376-D of the Indian Penal Code and 6/8 POCSO Act.

The prosecution case, in brief, is that the informant gave her written statement before S.H.O., Mahila P.S. Siwan on 26.12.2015 alleging therein that informant/prosecutrix is resident of village Sahdauli, P.S. Daraudha, District- Siwan and on the evening at 7:30 P.M., she was going to out of her house for answering the call of nature. Three boys of prosecutrix's village were hidden in Bagicha. When she reached in orchard then all of

them caught hold of her and her mouth was tied from the cloth. All of them laid her on the ground. Vijay Yadav put knife on her neck and threatened that she would be killed if she speaks in house. Ravi Kant Yadav caught hold of her legs and Dilip Yadav committed rape on her.

It is submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. Petitioners have falsely been implicated in the present case. The allegations made in the F.I.R. has subsequently been denied by the informant. A compromise petition has also been filed, which is Annexure-3 to the present application. It has been admitted that there was a love affair between the petitioner no.2 and the victim. They have already got married and they are residing together.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of arrest or surrender in the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand only) each with two sureties of the like amount each to the satisfaction of Ist Additional Sessions Judge, Siwan, in connection with Siwan Mahila P.S. Case No.205 of 2015, subject to the conditions as laid

down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

N.H./-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

