

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.24543 of 2017

Arising Out of PS.Case No. -274 Year- 2016 Thana -HUSAINGANJ District- SIWAN

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Keshav Yadav S/o Ram Naresh Yadav, Resident of Village- Habib Nagar,
P.S.- Hussainganj, District- Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nawal Kishore Singh, Advocate

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 13-07-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner seeks bail in connection with Hussainganj
P.S. Case No. 274 of 2016 registered for the offence punishable
under Section 376 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that while she was going in the morning at 05:30 A.M. to attend
the nature's call along with her mother-in-law, petitioner forcibly
took her among the bushes and committed rape on her.

It has been submitted by the learned counsel for the
petitioner that he is innocent and has falsely been implicated on
account of political rivalry. It has further been submitted that there
is no eye-witness to the alleged occurrence, although it is stated



that the informant was being accompanied by her mother-in-law. He further submits that the medical report also does not support the prosecution case and that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan in connection with Hussainganj P.S. Case No. 274 of 2016, subject to the condition that both the bailors would be close relative of the petitioner having sufficient immovable properties within the jurisdiction of the concerned P.S./ Court, who would file an affidavit stating their relationship with the petitioner.

(Nilu Agrawal, J.)

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