

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35026 of 2017

Arising Out of PS.Case No. -164 Year- 2014 Thana -KRITYANAND NAGAR District- PURNIA
=====

1. Pankaj Yadav, son of Mushan Yadav, Resident of Village- Parora, P.S.-
K. Nagar, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.

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

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Nand Kishore Pd
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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 10-08-2017 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner is languishing in custody since
17.05.2017 in connection with K. Nagar P.S. Case No.
164/2014 for offences punishable under Sections 376/511 of
the Indian Penal Code.

The prosecution case, as lodged by the informant,
is that while she had gone to provide meal to her grandfather
in the field, the petitioner tried to commit rape on her. On
hulla villagers assembled and the petitioner managed to
escape.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal antecedent



and has been falsely implicated in the aforesaid case. He submits that a compromise petition has been entered into between the parties and an affidavit to the said effect was filed before the learned court below by the informant victim girl that good relations have been restored with the intervention of the panches.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner had tried to commit rape on 12 year old girl.

Considering the facts and circumstances and the materials on record, let petitioner, above named, 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 learned Sub-Divisional Judicial Magistrate, Purnea, in connection with K. Nagar P.S. Case No. 164/2014, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station, who will file an affidavit stating his relationship with the petitioner, the petitioner will not tamper with the prosecution evidence or make any inducement and that petitioner



will appear before the learned court below during trial as and when required and failure to appear on three consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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