

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37495 of 2017

Arising Out of PS.Case No. -155 Year- 2017 Thana -BANMANKHI District- PURNIA

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Naresh Yadav, Son of Madan Yadav, Resident of Banmankhi, Ward No.04,
P.S.- Banmankhi, District- Purnea.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

3 11-08-2017

Heard learned counsel for the petitioner and the State.

Petitioner apprehends his arrest in connection with a
case registered under Section 376 of the Indian Penal Code.

Allegation in brief is that the petitioner used to
sexually exploit the informant forcibly and used to threaten her so
she left her home and went to parents home. When she returned
back on the alleged day of occurrence in the night he entered into
his house and outraged her modesty and threatened to eliminate
her husband.

It is submitted that this petitioner is a political activist
and was Ward Parshad for three times and on account of political
rivalry falsely implicated in the case. Further submitted that
allegation of rape is of four months back but no case was lodged.



In the present case allegation is of outraging modesty only. Learned counsel further submits that out of nine previous cases he has been acquitted in eight cases.

Learned counsel for the informant and State submit that petitioner is a notorious criminal of the area. He forcibly and repeatedly used to rape her in past and used to threaten her.

Having considered the said facts and circumstances as well as large number of criminal antecedent of the petitioner, I am not inclined to grant anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail of the petitioner, namely, Naresh Yadav is rejected in connection with Banmankhi P.S. Case No.155 of 2017 & CIS No.802 of 2017 pending in the court of Additional Chief Judicial Magistrate-VII.

(Arun Kumar, J)

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