

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53650 of 2017

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

=====

Naresh Yadav, Son of Madan Yadav, Resident of Village – Banmankhi,
Ward No.4, Police Station – Banmankhi, District-Purnea.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

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

For the Opposite Party/s : Mr. Amit Kumar Rakesh, APP.

=====

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 09-11-2017

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner seeks bail in Banmankhi P.S. Case
No. 155 of 2017 registered under Section 376 of the Indian Penal
Code.

The petitioner is said to have been committing rape
against the informant for 3-4 months and on the date of occurrence
he also tried to outrage her modesty entering into her house in the
night.

It is submitted by learned counsel for the petitioner
that no such occurrence as alleged ever took place. As a matter of
fact, several unsocial elements used to congregate at the house of
the victim for which the petitioner raised protest and organized a
Panchayati. Due to the aforesaid grudge, the petitioner has been



falsely implicated in this case. The petitioner happens to be ward councillor. Cousin father-in-law of the petitioner and witnesses examined by the I.O. have not supported the occurrence of committing rape against the victim by the petitioner ever and making halla by the victim on the date of occurrence. The occurrence is said to be of 20.06.2017, but FIR has been lodged on 26.06.2017 after an inordinate and abnormal delay of six days without assigning any plausible reason for the said delay. The petitioner has been languishing in custody since 22.08.2017.

Considering the facts aforesaid, the above named petitioner is directed to 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 the learned Additional Chief Judicial Magistrate-I, Purnea in connection with Banmankhi P.S. Case No. 155 of 2017.

(Prakash Chandra Jaiswal, J)

Mishra/-

U		T	
---	--	---	--

