

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49185 of 2017

Arising Out of PS.Case No. -334 Year- 2015 Thana -JOKIHAT District- ARRARIA

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1. Bijen Yadav, Son of Late Mahaveer Prasad Yadav, Kanhaiya Yadav,
2. Kanhaiya Yadav, Son of Late Mahaveer Prasad Yadav,
3. Arvind Yadav, Son of Late Mahaveer Prasad, All are residents of
Village- Gairki, Police Station- Jokihat, District- Araria Petitioners

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner : Mr. Mukesh Kumar Rana, Adv.

For the Opposite Party : Mr. Sanjay Kumar, APP 127

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

2 18-10-2017

Heard both sides.

The petitioners apprehend their arrest in Jokihat P.S. Case No. 334 of 2015 under Section 306/34 of the Indian Penal Code.

The gist of the allegation is that co-accused, Sanjeev Kumar Yadav, committed rape with the victim deceased for which Mahila P.S. Case No. 50 of 2015 was registered under Section 376 of the Indian Penal Code, but, thereafter, the petitioners along with Sanjeev Kumar Yadav and Lalit Yadav started exerting undue pressure on the victim to withdraw the case, failing which she would face dire consequence and consequently the victim committed suicide.

The learned counsel for the petitioners submits that the petitioners have not committed any offence. The victim had love affairs with Sanjeev Kumar Yadav, but, the parents of the victim did not allow her to solemnize marriage and consequently the victim committed suicide. But, it appears that the petitioners are brothers of Lalit Yadav, Sanjeev Kumar Yadav is the son of



Lalit Yadav and there is specific allegation that the petitioners pressurized the victim to withdraw the case lodged against Sanjeev Kumar Yadav under Section 376 of the Indian Penal Code.

Considering the facts, aforesaid, I am not inclined to enlarge the petitioners on anticipatory bail.

The prayer for anticipatory bail is **rejected**.

If the petitioners surrender in the Court below, the learned Court below shall consider the regular bail of the petitioners taking into consideration that Lalit Yadav has already been granted regular bail by order, dated 10.11.2016, passed in Cr. Misc. No. 37411 of 2016.

(Prabhat Kumar Jha, J)

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