

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38971 of 2017

Arising Out of PS.Case No. -72 Year- 2017 Thana -MAHILA P.S District- SUPAUL

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1. Satendra Yadav
2. Jajesh Yadav @ Jajesh Kr. Sons of Bindeshwar Yadav,
3. Bindeshwar Yadav,
4. Saryug Yadav, Sons of Sunder Yadav, all are resident of Village-
Purandih, Police Station-Pratapganj, District-Supaul.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Arun, Advocate

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 21-08-2017 Heard learned counsel for the petitioners and the

State.

Petitioners apprehend their arrest in connection with a

case registered under Sections 342, 448, 376/511, 354B, 504,

506/34 of the Indian Penal Code.

Allegation in brief is that the petitioner nos.1 and 2

made an attempt of rape on the prosecutrix. When she protested

they assaulted also. In the meanwhile, petitioner nos.3 and 4 also

turned up and they also escaped away. The petitioner nos.1 and 2

raped her but due to intervention of others they could not succeed

and escaped away.

Submission is that there is case and counter case

between both sides. The complaint case was filed by the



petitioners' side. There is land dispute between them and the petitioners have no criminal antecedent.

Having considered the specific allegation against petitioner nos.1 and 2 relating to making an attempt of rape they do not deserve anticipatory bail.

Accordingly, the prayer of anticipatory bail of petitioner nos.1 and 2, namely, Satendra Yadav and Jajesh Yadav @ jajesh Kr. stand rejected in connection with Supaul Mahila P.S. Case No.72 of 2017 pending in the court of A.D.J.-Ist, Supaul. As far as petitioner nos.3 and 4 are father and uncle of the accused.

Having considered the said facts and circumstances, in the event of arrest/surrender within four weeks from the date of receipt of this order to the concerned court, let the petitioner nos.3 and 4, namely, Bindeshwar Yadav and Saryug Yadav be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of A.D.J.-Ist, Supaul in connection with Supaul Mahila P.S. Case No.72 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Arun Kumar, J)

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