

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.39379 of 2018**

Arising Out of PS. Case No.-43 Year-2017 Thana- MAHILA P.S. District- Nawada

Mukesh Yadav @ Mukesh Kumar, Son of Sahdeo Yadav, Resident of Village-Dariyapur, P.S.- Akbarpur, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Sri Awadhesh Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR**  
**ORAL ORDER**

3      11-07-2018                      Heard learned counsel for the petitioner, the learned APP for the State as well as the learned counsel appearing on behalf of the informant.

Petitioner, already in custody, seeks bail in connection with Mahila P.S. Case No.43 of 2017 registered under Sections 376(D)/420/114/506/34 of the Indian Penal Code.

Allegation in brief is that Sanjay Yadav on the pretext of providing job to the informant sexually exploited her and later on this petitioner also committed rape.

Learned counsel for the petitioner submits that the petitioner is the brother-in-law of Sanjay Yadav and in statement recorded under Section 164 Cr.P.C., the informant has not alleged regarding rape by the petitioner, the only statement of her is of commission of rape by Sanjay Yadav.



Learned counsel appearing on behalf of the informant opposes the prayer of bail and submits that there is allegation against the petitioner also in the FIR.

Having considered the aforesaid facts and circumstances, in particular the statement of the prosecutrix recorded under Section 164 Cr.P.C., petitioner Mukesh Yadav @ Mukesh Kumar is directed to be released 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 S.D.J.M., Nawada in connection with Mahila P.S. Case No.43 of 2017.

**(Arun Kumar, J)**

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