

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23839 of 2018

Arising Out of PS.Case No. -184 Year- 2017 Thana -LAUKHI District- MADHUBANI

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Phuldeo Yadav Son of Mohan Yadav resident of Kariyot, P.S. - Laukahi,
District - Madhubani.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandeep Sahi

For the Opposite Party/s : Mr. Gagan Deo Yadav

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 02-07-2018

Heard.

The petitioner seeks regular bail in connection with
Laukahi P.S. Case No. 184 of 2017 for the offences punishable
under Sections 147, 148, 149, 341, 323, 324, 307, 366(A), 354 and
504 of the Indian Penal Code.

The allegation is regarding the petitioner herein and
one other co-accused person, namely Mohan Yadav, having
abducted the sister of the informant and it is stated that after three
hours she came back to her house and narrated the story. The
incidents is said to have been taken place on 31.08.2017 and on
the same day subsequently, an altercation had taken place between
the prosecution side and the accused persons resulting in injury to
the prosecution side.



The learned counsel for the petitioner has submitted that there is no allegation of rape against the petitioner, as far as the F.I.R. is concerned, and there is also no allegation of any specific overt act as far as the petitioner is concerned. It is also submitted that the F.I.R. has been filed belatedly on 04.09.2017. It is further submitted that the prosecution has tried to implicate the petitioner in a false rape case by coercing the victim girl to make a false statement under section 164 Cr.P.C. which has also been recorded belatedly on 06.09.2017 wherein for the first time allegation of rape was levelled against the petitioner herein. The petitioner is stated to be in custody since 25.11.2017.

Having regard to the facts and circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned S.D.J.M. Jhanjharpur, Madhubani in connection with Laukahi P.S. Case No. 184 of 2017.

(Mohit Kumar Shah, J)

BTiwary/-Md Rashid

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