

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16053 of 2018

Arising Out of PS. Case No.-531 Year-2017 Thana- NATHNAGAR District- Bhagalpur

Sunil Yadav S/o Late Chander Yadav, R/o Mohalla- Sujapur, Behind Gurukul
High School, P.O and P.S.- Nathnagar, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Garg
For the Opposite Party/s : Mr. Sri Abhay Kumar - 1

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 09-04-2018 Heard the learned counsels for the petitioner
and the State.

The petitioner seeks bail in anticipation of his arrest in connection with Nathnagar P.S. Case No. 531 of 2017 dated 23.09.2017 instituted for the offences under Sections 341, 323, 342, 354(B), 379, 406, 504, 506 and 34 of the Indian Penal Code.

The petitioner is said to have made attempts at outraging the modesty of the informant/complainant and is also alleged to have divested her Rs. 2700/- which she was carrying on her person.

Learned counsel for the petitioner has submitted that an absolutely absurd complaint petition was initially lodged by the informant alleging that the petitioner had taken a loan of Rs. 5000/- for carrying on



his business of bamboos. When the informant/complainant wanted her money back, the petitioner tried to commit rape on her and also took away Rs. 2700/-.

Learned counsel for the petitioner has submitted that the present case has been lodged at the instance of one Radhe Shyam Dalaniya with whom the petitioner is contesting civil as well as criminal litigation. A Title Suit is pending and out of the four cases lodged against the petitioner earlier, three have been lodged by aforesaid Radhe Shyam Dalaniya. The falsity of the allegation further appears from the facts that the informant/complainant has sworn an affidavit that she was put up as a complainant against the petitioner at the instance of the aforesaid Radhe Shyam Dalaniya.

Learned counsel appearing for the informant however submits that there is specific allegation against the petitioner.

The allegations do not inspire confidence.

The petitioner above named under the aforementioned circumstances is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten



Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate 1st Bhagalpur in connection with Nathnagar P.S. Case No. 531 of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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