

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21789 of 2018

Arising Out of PS.Case No. -110 Year- 2016 Thana -MAHILA P.S District- SUPAUL

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1. RAJENDRA YADAV @ BOKU YADAV @ RAJENDRA @ BOKU
YADAV S/o late Anup Yadav
2. Dinesh Yadav S/o late Nandeo Yadav
3. Bachchelal @ Bachcha Yadav S/o late Nabi Yadav All of Village Hardi
Durgasthan East, P.S. and District Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamal Kishore Singh

For the Opposite Party/s : Mr. Smt. Suman Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 16-05-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Mahila P.S.Case nO.110 of 2016 , registered for offences punishable under Sections 448, 341, 323, 354(B), 504/34 of the Indian Penal Code and Section 3/4 of the Prevention of Witch Act..

Allegation against the petitioners and other accused persons is of calling the informant ‘Dine’ and trying to administer night soil to her.

Submission of the learned counsel for the petitioners is that they have only tried and there is no allegation that he administer night soil and so far petitioner no.1 is concerned, there is no allegation against him.



Heard learned A.P.P. and the learned counsel for the informant..

Having heard both sides and in view of having specific allegation against petitioner nos.2 (Dinesh Yadav) and 3. (Bachchelal @ Bachcha Yadav), I am not inclined to grant privilege of the anticipatory bail rather they will surrender before the learned court below within a period of four weeks from the date of receipt of order and make prayer for regular bail, which will be considered by the learned court below..

So far petitioner no.1 (Rajendra Yadav @ Boku Yadav @ Rajendra @ Boku Yadav) is concerned, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Supaul in connection with Supaul Mahila P.S.Case No.110 of 2016, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when



required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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