

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19359 of 2018

Arising Out of PS.Case No. -160 Year- 2013 Thana -KAMTAUL District- DARBHANGA

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Dhanraj @ Dhanraj Yadav, son of Reet Lal Yadav, Resident of village-
Pakirhar, P.S.- Singhwara, District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. A.K.Thakur, Advocate.
Mr. Md. Imteyaz Ahmad, Advocaet.
Mr. Shashank Shekhar, Advocate.
Mr. Ritwaj Raman, Advocate.

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 05-04-2018 Heard learned counsels for the petitioner and the State.

The petitioner, already in custody since 30.08.2017 seeks
bail in connection with Kamtaul P.S.Case No. 160 of 2013
registered under Sections 342, 376G and 506/34 of the Indian
penal Code.

Allegation in brief is that prosecutrix was kidnapped by the
petitioner and three others named in the FIR from outside of the
house and brought her to nearby village and all raped her.

Submission is that case was instituted after delay of nine
days without any cogent reason and medical report does not
suggest any evidence of rape or gang rape and the prosecutrix,
after institution of the present case, eloped with another person
Dinesh Yadav, for which her father lodged another case i.e.,



Kamtaul P.S.Case No. 158 of 2014, in which this petitioner was also made accused and in the said case, her statement was recorded under Section 164 Cr.P.C. in which she admits that she married to Dinesh Yadav and police submitted final form in the said case moreover petitioner has got no other criminal antecedent.

Having considered the aforesaid facts and circumstances, the petitioner, namely, Dhanraj @ Dhanraj Yadav, is directed to be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned 1st Addl. District and Sessions Judge, Darbhanga at Laheriasarai in connection with Sessions Trial No. 488 of 2017 arising out of Kamtaul P.S. Case No. 160 of 2013 with condition that one of the bailor must be his close family member. Petitioner shall remain physically present on each and every date during trial and in case of failure on two consecutive dates without any reasonable cause, his bail bond shall be liable to be cancelled.

(Arun Kumar, J)

Sujit/-

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