

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14651 of 2019

Arising Out of PS. Case No.-87 Year-2018 Thana- ADHAOURA District- Kaimur (Bhabua) *

VIJAYMAL YADAV Son of Birendra Yadav, Resident of Village-Birendra
Yadav, Resident of Village-Sikarwar, P.S.-Adhoura, District-Kaimur at
Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 11-03-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

In this case, the petitioner is seeking anticipatory
bail in connection with Adhoura P.S. Case No. 87 of 2018
registered for offence punishable under sections 341, 342, 323,
354, 379/34 of the Indian Penal Code.

Allegation has been made that the petitioner has
misbehaved with the informant's wife when she was coming
from grocery shop. The allegation of molestation has been
made against this petitioner.

The learned counsel for the petitioner submits that
the informant is petitioner's aunt is aged 55 years whereas the
age of the petitioner is 21 years, as has been mentioned in



paragraph 9 of this application and submits that the age gap itself shows the malicious prosecution made against this petitioner.

Looking to the age gap and the delay of two days in lodging the FIR, the prayer for bail of the petitioner is allowed and he, in the event of arrest or surrender before the court below within six weeks from today, is directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Judicial Magistrate 1st Class, Kaimur at Bhabhua in connection with Adhaura P.S. Case No. 87 of 2018, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioner will not induce any witness or tamper with the evidence. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Shivaji Pandey, J)

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