

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26069 of 2019**

Arising Out of PS. Case No.-1210 Year-2018 Thana- PURNIA COMPLAINT CASE District-
Purnia

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Ajay Kumar Yadav, Son of Sri Sikandar Yadav, Resident of Mohalla -
Rambagh, P.S.- Sadar, Town and Dist.- Purnia.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Sunita Kumari, Daughter of Sri Jawahar Yadav, Resident of Mohalla -
Chouhan Tola, Khuskibagh, P.S.- Sadar, Town and Dist.- Purnia.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Alok Kumar Agrawal, Advocate

For the Opposite Party/s : Mr.Md. Aslam Ansari, APP

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

5 18-07-2019 This is an application for grant of anticipatory bail in

connection with Complaint Case No.1210 (CA) of 2018

disclosing offence under Section 376 of the Indian Penal Code.

Allegation against the petitioner, who happens to be
the brother-in-law (Bahnoi) of the victim lady that when she
was alone, the petitioner committed rape upon her.

Submission of the learned counsel for the petitioner is
that the whole prosecution story is false and concocted. The
complainant and her family members are in the habit of lodging
such type of cases, due to that earlier the wife of the petitioner
has sent a message on Whatsup to the S.P. Purnea and I.G.
Police with respect to the activities of her father and brothers,



thereafter, the present case has been lodged. The Whatsup messages is annexed with this application as Annexure-3.

Heard learned A.P.P. as well as learned counsel for the opposite party no.2 also, who has opposed the prayer for anticipatory bail on the ground that in the medical examination the Doctor has found that possibility of rape cannot be ruled out.

Having heard both sides, considering the above submission, especially the messages given by the wife of the petitioner to the S.P. Purenea and I.G. Police, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of learned Chief Judicial Magistrate, Purnea, in connection with Complaint Case No.1210 (CA) of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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