

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31483 of 2019

Arising Out of PS. Case No.-78 Year-2018 Thana- TILAUTHU District- Rohtas

Vijay Kumar Yadav @ Vijay Kumar, aged about 19 years, Gender, male, Son
of Nathuni Yadav, Resident of Village - Chandanpura, P.S.- Tilauthu, Distt -
Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Pd. Singh, Sr. Advocate

For the State : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 17-08-2019 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 376/34 of the Indian Penal
Code and Sections 67/67(A) of I.T. Act.

Informant is the mother of victim who in her written
complaint has stated that her daughter while going to attend call
of nature was intercepted by two F.I.R. named accused and,
thereafter, they misbehaved with her and also prepared a video
and showed it to villagers and society. On the basis of such
written complaint dated 17.10.2018, F.I.R. was instituted under
Sections 376/34 of the Indian Penal Code and Sections 67/67A



of IT Act. It has been submitted that during investigation, statement of victim was recorded by the investigating officer in which she has stated that petitioner and other accused committed rape with her, however, it has come that victim refused her medical examination. No obscene video was recovered. Charge-sheet has already been submitted against the petitioner and he is in custody since 16.10.2018 having no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Tilauthu P.S. Case No. 78/18 with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the



evidence or the witnesses of the case, in that case,
prosecution will be at liberty to move for cancellation of
bail of the petitioner.

(S. Kumar, J)

Sanjay/-

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