

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72485 of 2018

Arising Out of PS. Case No.-18 Year-2018 Thana- ANTICHAK District- Bhagalpur

=====

Ajay Yadav S/o Shyamal Kishor Yadav @ Samli Yadav, Resident of Village-
Nawada, P.S.-Antichak, District-Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 14-03-2019 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner has been in custody since
23.03.2018 in connection with Antichak P.S. Case No.
18/2018 registered for the offence punishable under
Sections 376/447/506 of the Indian Penal Code.

Learned counsel for the petitioner submits that
the entire case is false and fabricated and has been created
on account of previous enmity between the petitioner and
the husband of the victim lady. It is further submitted that
an all-out false story has been created by the victim lady
and no evidence of any sign of rape has been found in the
medical evidence. It is further submitted that there has
been no external or internal injuries on the person of the



victim lady and her statement made under Section 164 of the Cr. P.C. is also patently false and mischievous. He also submits that the stories of the witnesses are concocted and do not match with the statement made by the victim lady in the statement made before the Magistrate under Section 164 Cr. P.C.

Case diary in this case was called for which has since been received.

Learned counsel appearing on behalf of the State after perusal of the case diary submits that though one Pawani Devi, Gotni of the victim women has tried to corroborate a story, a story differs palpably from the story as made out by the victim in her statement made under Section 164 Cr. P.C.

Considering the contradictions therein the story of false implication cannot be ruled out.

Having considered the entire facts and circumstances of the case and that there being contradictory material available in the case diary, let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, 1st Bhagalpur in connection with



Antichak P.S. Case No. 18/2018.

(Anjana Mishra, J)

Saif/-

U		T	
---	--	---	--

