

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48479 of 2019

Arising Out of PS. Case No.-116 Year-2016 Thana- MAHILA P.S. District- Araria

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DHARMENDRA KUMAR YADAV @ DHARMENDRA YADAV Son of
Late Darbari Yadav Resident of Village - Hasanpur, Ward No. 03, P.S.-
Raniganj, Distt - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh

For the Opposite Party/s : Mr.Nand Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 27-11-2019 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Araria (Mahila) P.S. Case No. 116 of 2016 registered under
Sections 354B/34 of the Indian Penal Code and section 7/8 of
the POCSO Act.

Learned counsel appearing on behalf of the
petitioner submits that petitioner is a lawyer, who is innocent
and has falsely been implicated in the case. The F.I.R. is lodged
after lapse of three days of the alleged occurrence. A
supplementary affidavit has been filed on behalf of the
petitioner stating that prior to the present case, one case i.e.
Araria (SC/ST) P.S. Case No. 63 of 2016 was lodged against the



father of the present informant by one Chaniya Devi. Thereafter, the accused of that case kidnapped the informant Chaniya Devi, for which one another case was also lodged by Taramani Devi, daughter of the informant of Araria (SC/ST) P.S. Case No. 63 of 2016. The petitioner was engaged as a lawyer by the informant of both the cases. Thereafter, in retaliation to those cases, at the instigation of father of the present informant, this case has been filed dragging the petitioner in the present case falsely with a view to teach him a lesson.

Having considered the above facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the 1st Additional Sessions Judge-cum-Special Judge, Araria in connection with Araria (Mahila) P.S. Case No. 116 of 2016, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Arvind Srivastava, J)

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