

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.68325 of 2019**

Arising Out of PS. Case No.-867 Year-2017 Thana- BANKA District- Banka

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BINAY YADAV Son of Shrawan Yadav Resident of Village- Haripur, P.S.-  
Barahat, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Brij Nandad Prasad

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH**

ORAL ORDER

2      27-11-2019                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

This application for anticipatory bail arises out of  
**Banka (Barahat) P.S. Case No. 867 of 2017**, disclosing the  
offences under Sections 341, 323, 325, 354(B), 504 and 506/34  
of the Indian Penal Code.

There is allegation against petitioner No. 1 of having  
attempted to outrage the modesty of the informant. The  
petitioner's wife and his daughters have also been made  
accused. It has been alleged against all of the them of having  
assaulted the informant variously.

Learned counsel appearing on behalf of the petitioner  
has submitted that the case of the prosecution as narrated in the



First Information Report, is highly unbelievable to the extent that the wife and daughters of the petitioner would help the petitioner outraging the modesty of the informant.

Considering the nature of allegation, this application is allowed. Let the petitioner, above-named, in the event of his arrest/surrender within six weeks from today in the court below, 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 Chief Judicial Magistrate, Banka**, in connection with **Banka (Barahat) P.S. Case No. 867 of 2017**, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail Bonds shall be liable to be cancelled.

**(Chakradhari Sharan Singh, J)**

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