

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67695 of 2019**

Arising Out of PS. Case No.-43 Year-2019 Thana- MAHILA P.S. District- Siwan

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JAGLAL YADAV @ JAGLAL RAY (YADAV) Son of Sheonath Yadav
Resident of Village- Molnapur, P.S.- Basantpur, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Ashok Kumar Singh

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

3 12-12-2019 This application, for grant of anticipatory bail, arises out of

Siwan Mahila P.S. Case No. 43 of 2019, disclosing offences under

Sections 323, 376, 354, 504 and 506 of the Indian Penal Code and

Section 66 (C) of the I.T. Act.

Allegation as per complaint petition on the basis of which,

F.I.R. has been registered is that petitioner used to come to the house

of complainant / informant and used to call the minor daughter of

complainant / informant to his house, where he used to commit rape

with her and he has also prepared objectionable video and used to

threat the girl. It is also alleged that petitioner made fake I.D. on

facebook in the name of second daughter of the informant and made

the same viral on facebook. Further allegation is that on 13.05.2019,

petitioner called her and brutally assaulted her.

Submission of learned counsel for the petitioner is that

there is inordinate delay in lodging complaint petition. Furthermore,



the girl is major, which will appear from Annexure -2, 3 and 4, which are the medical report, matriculation certificate as well as Aadhar Card. It has also been submitted that as a matter of fact father of alleged victim girl has taken Rs. One Lakh Fifty Thousand from the petitioner and when he started pressurizing to return the amount, the informant came out with this false case.

Learned A.P.P. as well as learned counsel for the informant opposed the prayer for anticipatory bail of the petitioner and submitted that the earlier the case was not lodged by the complainant / informant as the petitioner was threatening to make the video viral and furthermore, there are enough materials against the petitioner in the case diary .

Having heard both sides, considering the facts and circumstances of the case, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather petitioner has to surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the merit of the case, without being prejudiced by this order.

This application is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

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