

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70484 of 2019

Arising Out of PS. Case No.-38 Year-2019 Thana- GOVINDGANJ District- East Champaran

MUNNA YADAV @ RAMBHAJU YADAV @ MUNNA KUMAR YADAV,
Son of Sukdev Yadav, Resident of Village - Ramsiriya Musahari Tola, P.S.-
Malahi, Dist.- East Champaran at Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikram Jeet, Advocate

For the Opposite Party/s : Mr. Lalan Kumar, A.P.P.

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
Govindganj (Malahi) P.S. Case No.38 of 2019, disclosing the
offences under Sections 341, 323, 354(B), 504, 506 and 509/34
of the Indian Penal Code.

There is allegation in the First Information Report
against the petitioner of having entered into the room where the
informant was sleeping with her cousin and attempted to
outrage her modesty. When the informant raised a cry, allegedly
the petitioner fled away.

Learned counsel appearing on behalf of the petitioner
has submitted that the date of occurrence as mentioned in the



First Information Report is 01.02.2019 whereas the case has been registered on 11.02.2019. Inordinate delay in lodging of the First Information Report itself creates a serious doubt over the case of the prosecution.

In the facts and circumstances of the case, 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, Motihari**, in connection with **Govindganj (Malahi) P.S. Case No.38 of 2019**, 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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