

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14726 of 2020**

Arising Out of PS. Case No.-1336 Year-2018 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabhua)

RAJAKESHWAR SINGH YADAV @ RAJAKESHWAR SINGH Son of Late
Bhagwan Singh Yadav Resident of Village - Khajara, P.S.- Mohania, District -
Kaimur, (Bhabhua).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Meera Devi Wife of Sanjay Yadav Resident of Village - Khajara, P.S.-
Mohania, District - Kaimur, (Bhabhua).

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyendra Pandey
For the Opposite Party/s : Mr.Choubey Jawahar

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 08-07-2020 The present petition has been taken up for
consideration through the mode of Video Conferencing in view
of the prevailing situation on account of COVID-19 Pandemic.

Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

This is an application for grant of anticipatory bail
in connection with complaint case no. 1336 of 2018 registered
for the offences punishable under Sections 323, 354, 504 of
Indian Penal Code.

The allegation is regarding the accused persons
having entered the house of the complainant and having tried to
outrage her modesty, whereafter they had also attacked by sticks



and assaulted the members of the prosecution party as also had committed loot of various articles including clothes, jewelleries and cash amount.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and the fact is that the present case arises out of case and counter case, the case filed by the petitioner herein bearing Mohania PS case no. 559 of 2018 dated 17.09.2018 being first in time, whereafter by way of retaliation, the present complaint case in question was filed by the complainant on 22.09.2018.

Having regard to the facts and circumstances of the case, considering the submissions of the learned counsel for the parties and taking into account the fact that the present case arises out of case and counter case and the case of the petitioner is first in time whereas complaint case filed by the complainant is dated 22.09.2018 i.e. the same has been filed after a lapse of four days, apart from the fact that the petitioner is having a clean antecedent, I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail. Accordingly, the abovenamed petitioner, in the event of his arrest or surrender before the court below within a period of six weeks from the



date of receipt/ production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-II, Bhabhua, Kaimur in connection with complaint case no. 1336 of 2018 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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