

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9474 of 2020

Arising Out of PS. Case No.-41 Year-2018 Thana- MAHILA PS District- Katihar

Deva Yadav @ Dev Narayan Yadav, Son of Sadhu Yadav Resident of Village -
Burhia Tikar, Dhuriahi, P.S.- Manihari, District - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar

For the Opposite Party/s : Mr.Uday Pratap Singh

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 25-02-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner is accused in connection with Mahila
P.S. Case No. 41 of 2018, registered under Section 354(B)/34 of
the Indian Penal Code.

The accusation is that on 09.09.2018, informant was
at her boat waiting to her husband, Kanhai Mandal. At that
time, Gurucharan Mandal and Deva Yadav (petitioner) boarded
at her boat and started to give pressure to move from there.
When she made protest then they forcibly moved the boat and in
the way, both tried to commit rape on her but on raising alarm,
on seeing the another boat, both threw her in the water with
intention to kill. Due to flood affected area, informant could not



lodged the present case in time.

Learned counsel for the petitioner submits that it would appear from the FIR that while the occurrence is said to be taken on 09.09.2018 but the present case has been lodged on 04.10.2018 after 25 days. Further submission is that due to enmity in between family members of the informant and the petitioner the present case has been lodged with false allegation. It is further submitted that petitioner is in custody since 06.01.2020.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Katihar, in connection with Mahila P.S. Case No. 41 of 2018. Out of two sureties, one surety must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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