

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16768 of 2020

Arising Out of PS. Case No.-76 Year-2019 Thana- BITHAN BAZAR District- Samastipur

1. DILIP YADAV Son of Ganga Prasad Yadav
2. Amresh Yadav son of Ganga Prasad Yadav
3. Ganga Prasad Yadav Son of Gauri Yadav all Residence of Village - Kua,
P.S.- Bithan, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar, Adv.

For the Opposite Party/s : Mr. Humayu Ahmed Khan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-07-2020 This case has been heard through video conferencing.

Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 342, 323, 448, 354, 313, 314, 307/34 of the Indian Penal Code.

Prosecution case is that the informant was pregnant and was sitting in Varandah of her house. At that time, all the petitioners in connivance with each other came there and started abusing the informant and stated that she has made a theft of Television of Dilip Yadav. On denial of the said allegation, petitioner no. 3 assaulted by kick and fists by holding her hairs. When the informant fell down, the petitioner no. 2 dragged her by putting sari in neck. Thereafter, petitioner no. 1 kicked on the



stomach of the informant and due to the said hitting she was aborted.

It has been submitted on behalf of the petitioner that they are innocent and have been falsely implicated in this case. He submits that the date of occurrence is 03.10.2018 but complaint has been filed after inordinate delay of two months 17 days on 20.12.2018 and there is no explanation of such delay. He further submits that petitioners have no criminal antecedent as stated in para-3 of the bail application.

In the facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Rosera, Samastipur in connection with Bithan Police Station Case No. 76 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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