

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69758 of 2019

Arising Out of PS. Case No.-129 Year-2019 Thana- DHANAHA District- West Champaran

Chhathu Yadav Son of Kanhaiya Yadav, Resident of Village- Piparapatti,
Ahirtola, P.S- Dhanaha, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-01-2020 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with
Dhanaha P.S. Case No. 129 of 2019 for the offence punishable under
Sections 354, 509, 34 of the Indian Penal Code and Section 67 of I.T.
Act.

The allegation is regarding the co-accused persons,
namely, Krishna Mohan Yadav, Sikandar Yadav along with other
accused persons having intercepted the informant while she was
coming back from the marriage ceremony and it is alleged that the
said accused persons tried to outrage her modesty. It is further
alleged that the said accused persons had video graphed the incident
and the same was made viral, resulting in loss of reputation of the
informant and her family members.

The learned counsel for the petitioner submits that the
petitioner has not been named in the FIR and in fact since he belongs



to the same village as that of the informant, he could definitely have been identified by the informant, in case he was present at the place of occurrence, nonetheless, the informant had thought it proper not to name the petitioner in her fardbeyan, since he was actually not present at the place of occurrence. It is further submitted that the petitioner has no complicity in the alleged occurrence, he is having a clean antecedent and is languishing in custody since 02.08.2019.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner coupled with the fact that the petitioner has not been named by the informant in the FIR although he belongs to the same village as that of the informant and is known to the informant, I deem it fit and proper to enlarge the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be enlarged on regular bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Bettiah, West Champaran in connection with Dhanaha P.S. Case No. 129 of 2019.

(Mohit Kumar Shah, J)

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