

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.85038 of 2019**

Arising Out of PS. Case No.-9 Year-2018 Thana- MAHILA P.S. District- Madhubani

SHIV KUMAR YADAV Son of Late Ganga Ram Yadav R/v- Bardahi, P.S.-  
Babubrahi, Dist.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                |
|--------------------------|---|--------------------------------|
| For the Petitioner/s     | : | Mr. Vikram Deo Singh, Advocate |
|                          | : | Mr. Sanjay Kumar               |
| For the Opposite Party/s | : | Mr. Mohammed Arif              |

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

2      09-01-2020                      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 Mahila PS case no. 09 of 2018 registered for the offences punishable under Sections 341, 323, 354(B)/34 of Indian Penal Code and 8 of POSCO Act.

The allegation is regarding the accused persons including the petitioner herein having tried to commit rape with the daughter of the informant, however upon alarm being raised by her, the informant had arrived, whereafter the accused persons had fled away.

The learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case, he is having a clean antecedent and no such



occurrence, as alleged had ever taken place, which is evident from the fact that firstly, the F.I.R. was filed after a delay of 19 days and secondly, the police has submitted final form, finding the case to be untrue after investigation.

Having regard to the facts and circumstances of the case and considering the fact that police has found the case to be untrue, after investigation and has submitted final form on 31.01.2018, 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.D.J. 1<sup>st</sup>, Madhubani in connection with Mahila PS case no. 09 of 2018, subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

**(Mohit Kumar Shah, J)**

rinkee/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

