

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14040 of 2021**

Arising Out of PS. Case No.-115 Year-2020 Thana- CHANDI District- Bhojpur

Ramesh Yadav S/o Harendra Yadav Resident of Village- Gopalpur, P.S.-
Chandi, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarendra Kumar, Advocate

For the Opposite Party/s : Mr. Kumar Veerendra Narain, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 02-07-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Chandi P.S. Case No. 115 of 2020 registered under sections 376 and 34 of the Indian Penal Code and section 8 of the POCSO Act.

As per allegation in the F.I.R., it is alleged by the informant that two accused persons including the petitioner herein committed rape on her.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the F.I.R. are false and concocted. The petitioner and the informant happen to be cousins. There is a case and counter case between the families as a result of land dispute and for these reasons the petitioner



has been falsely implicated in the case. It is submitted that on investigation, charge-sheet was submitted under sections 323, 504 and 354 of the Indian Penal Code, as has been taken note of by the learned Court below in the order rejecting the bail application of the petitioner. The petitioner is in custody since 5.8.2020.

Having heard learned counsel for the parties and taking into consideration the delay in lodging of the F.I.R., charge-sheet having been submitted under sections 323, 504 and 354 of the Indian Penal Code and the petitioner having remained in custody for nearly 11 months, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Chandi P.S. Case No. 115 of 2020 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 Additional Sessions Judge-VI, Bhojpur, Ara.

(Partha Sarthy, J)

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