

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23180 of 2021

Arising Out of PS. Case No.-450 Year-2020 Thana- RAJAON District- Banka

=====

Lav Kush Yadav @ Lav Kush Kumar, Son of Huro Yadav, Resident of Village
- Lohria Gopalpur, P.S.- Rajoun, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha, APP

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 26-10-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in Rajoun P.S. Case No.450
of 2020, registered for the offences punishable under Sections
354(c) and 509 of the Indian Penal Code as well as under
Section 66(E) of the I.T. Act, 2000.

While the daughter of the informant was alone in her
house, the petitioner is said to have come and tried to outrage
her modesty making her half naked. He also recorded the said
occurrence in his mobile and made it viral.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case. It is
submitted that the said picture was made viral by co-accused,
Dabba Yadav. It is further submitted that the co-accused, Dabba



Yadav has already been granted bail by the learned court below itself. It is also submitted that the statement of the girl was not recorded either under Section 161 Cr.P.C. or under Section 164 Cr.P.C. and the victim was not examined medically. It is submitted that the petitioner is in custody since 09.11.2020 and he has got no criminal antecedent as stated in paragraph 3 of the bail petition.

Considering the facts and circumstances of the case, let petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Rajoun P.S. Case No.450 of 2020, subject to the conditions:

(i) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each and every date fixed in the case and if he fails to do so on two consecutive dates, his bail bonds shall be liable to the cancelled.



(iii) That the petitioner will mark his attendance in the local police station in the first week of every month till conclusion of the trial, failing which the prosecution will be at liberty to move for cancellation of his bail bond.

(iv) That the bailors shall also state on affidavit that he will inform the court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

(Anjani Kumar Sharan, J.)

Sanjay/-

U		T	
---	--	---	--

