

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1567 of 2021

Arising Out of PS. Case No.-290 Year-2020 Thana- KADAMKUAN District- Patna

KAILASH PRASAD YADAV, Son of Late Baidnath Prasad @ Bidya Nath Prasad Yadav @ Baijnath Prasad, Resident of Mohalla- Langartoli, P.S.- Kadamkuan, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ajay Kumar Thakur, Adv.
	:	Mr.Udbhav, Adv.
For the Opposite Party/s	:	Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 09-04-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

The petitioner seeks bail in a case registered for the offence punishable under Sections 376/323 of the Indian Penal Code and Sections 66(B) (C) (D) of the I.T. Act.

Allegation against the petitioner is of committing rape to the informant and threatened her to make viral her video and also took away her jewelery.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that there is land dispute between the parties. The entire allegation leveled against the petitioner is out and out a false allegation and at this juncture petitioner is not going to make any comment about the present informant and he



confined malafide and false allegation leveled against him. The petitioner is 70 years old and the informant is 35 to 40 years old.

Learned counsel for the petitioner further submits that there is contradiction statement of the informant in the FIR and the statement of the victim recorded under Section 164 Cr.P.C. which is mentioned in paragraph 47 of the case diary. The medical report has not supported the prosecution case. The petitioner is languishing in judicial custody since 12.07.2020. The petitioner has got no criminal antecedent which is mentioned in para 3 of the bail petition.

Learned APP for the State opposes the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, let the 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 in connection with Kadamkuan P.S. Case No. 290/2020 to the satisfaction of learned Court below where the case is pending.

(Anjani Kumar Sharan, J)

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