

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1821 of 2022

Arising Out of PS. Case No.-167 Year-2021 Thana- BAHERA District- Darbhanga

RADHE YADAV @ RADHE SHYAM YADAV S/O NUNU PRASAD
YADAV R/o village- Adholoyam, P.S.- Bahera, District- Darbhanga
... .. Petitioner/s

Versus

THE STATE OF BIHAR
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar, Adv.
For the Opposite Party/s : Mr.Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-07-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 341, 323, 354, 504, 506/34 of the Indian Penal Code.

The allegation against the petitioner is that he tried to outrage the modesty of the informant. Thereafter the petitioner and his father assaulted the informant by means of legs and fists.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in



the manner as alleged, has ever taken place. The alleged occurrence took place on 11.08.2021 but the FIR has been lodged on 17.08.2021 i.e. after a delay of seven days and no plausible explanation has been advanced for such delay, it creates doubt about the prosecution case. It is further submitted that petitioner has been implicated in this case due to previous grudge. Petitioner has one criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, considering the delay in lodging the FIR, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Bahera P.S. Case No.167/2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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