

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2500 of 2022**

Arising Out of PS. Case No.-302 Year-2021 Thana- RAFIGANJ District- Aurangabad

=====

Rana Yadav @ Raja Yadav @ Raja Kumar Yadav Son Of Late Naulesh Yadav
Resident Of Village - Adalpur, P.S.- Rafiganj, Distt.- Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Awadhesh Kumar Singh

=====

**CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER**

3 07-11-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with

Rafiganj P.S. Case No. 302 of 2021, registered for the

offences punishable under Sections 448, 354, 354 (A), 354

(B) and 506 of I.P.C.

The prosecution case as emerges from the FIR is

that the petitioner entered into the house of the informant

and tried to outrage her modesty forcibly.

The learned counsel for the petitioner submits that

the petitioner is innocent and has falsely been implicated in

this case on account of property dispute. The fact is that the



accused petitioner is neighbor of the informant. He further submits that the petitioner is a physically challenged person having 40 % disability. He is unable to climb the wall and jump due to his restricted movement. He also submits that there was refusal of the informant to undergo any medical examination, which shows that the allegation false.

The petitioner has been languishing in jail since 14.11.2021.

It is also stated in paragraph no. 2 of the petition that the petitioner has never moved before this Court for grant of anticipatory bail or regular bail.

It has further been stated in paragraph no. 3 of the petition that the petitioner has been made accused in one more case, namely, Rafiganj P.S. Case No. 279 of 2020.

However, the learned APP for the State vehemently opposes the prayer of the petitioner for bail saying that the alleged offence is serious in nature.

Considering the aforesaid facts and circumstances, the petitioner, above-named, is directed to be released on



bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Ld. C.J.M., Aurangabad, in connection with Rafiganj P.S. Case No. 302 of 2021 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedent other than the disclosed one, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting



satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioner.

The application stands allowed accordingly.

The learned counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

ramesh/-

U			
---	--	--	--

