

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18186 of 2022**

Arising Out of PS. Case No.-229 Year-2021 Thana- SABAUR District- Bhagalpur

RAJAN KUMAR YADAV Son of Akhileshwar Yadav Resident of Mohalla -
Bhaigaon, P.S.- Goradih, Distt.- Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Swapnil Kumar Singh, Advocate
For the Opposite Party/s : Mr. Chandrasen Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER**

4 29-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The case is registered under sections 341, 323, 307,
354B, 379, 447, 504, 506, 120B of the Indian Penal Code, in
connection with Sabour (Goradih) P.S. Case No. 229 of 2021.

As per the allegation in the FIR, the petitioner and
the other accused person used to tease the victim girl and further
used to make offer for marrying them. On the fateful day, it is
alleged that not only they abused but also assaulted the family
members. Accordingly, the FIR was lodged.

In this case, the case diary was called for on
1.8.2022.



Learned counsel for the petitioner has taken this Court to the different paragraphs to show that it was actually a dispute relating to filling of water from the public tap which led to dispute. He has submitted that para-6 of the case diary is the version of the mother of the victim girl where she talks about dispute relating to filling of water. He submits that same has been given different colour.

The learned APP, Mr. Chandrasen Prasad Singh has also gone through the case diary and has conceded the fact that it has come in the case diary and that it was a dispute relating to filling of the water which culminated into the lodging of the FIR alleging teasing and assault.

Considering the aforesaid facts as also that the petitioner is in custody since 17.12.2021 (as stated in para-14 of the bail application), has no criminal antecedent and the charge-sheet stands submitted, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned CJM, Bhagalpur, in connection with Sabour (Goradih) P.S. Case No. 229 of 2021 subject to the following conditions:



(i) one of the bailors should be the family members of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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