

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28791 of 2021

Arising Out of PS. Case No.-372 Year-2019 Thana- BAIRIYA District- West Champaran

BINOD YADAV, Son of Jagdish Yadav, Resident of Village - Bagahi Ahirani
Tola, P.S.- Bairiya, District - West Champaran

... .. Petitioner

Versus

1. The State of Bihar
2. Rita Devi, wife of Hairalal Yadav, resident of village- Bagahi Ahirani Tola,
P.S.- Bairiya, District- West Champaran.

... .. Opposite Parties

Appearance :

For the Petitioner : Mr. Sanjay Kumar No. 7, Advocate
For the Opposite Party : Mr. Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 26-04-2022 Heard learned counsel for the parties.

Learned counsel for the petitioner is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

The petitioner seeks anticipatory bail in connection with Bairiya P.S. Case No. 372 of 2019, registered for the offence punishable under Sections 341, 323, 504, 506, 376/34 of the Indian Penal Code.

It has been submitted by learned counsel for the petitioner that the parties have entered into a compromise and the informant has stated that she was not raped and a false case has been registered against the petitioner.

Considering the above submission of learned counsel for the petitioner, this bail application is allowed.



Accordingly, let the petitioner, above named, in the event of his arrest/surrender within four weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah, West Champaran, in connection with Bairiya P.S. Case No. 372 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

However, before accepting the bail bonds of the petitioner, the Court below shall verify the veracity of the compromise. If the opposite party no.2 supports the compromise then, the bail bonds of the petitioner shall be accepted by the Court below. If the opposite party no. 2 denies the compromise, in such a situation, the Court below shall not accept the bail bonds of the petitioner and he shall be taken into custody.

(Sandeep Kumar, J)

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