

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55996 of 2021**

Arising Out of PS. Case No.-49 Year-2020 Thana- MAHILA P.S. District-
Siwan

=====

Ravindra Yadav @ Ravindra Kumar Yadav S/O Mkardhun Yadav @
Mukurdhan Yadav @ Mukurdhan Ravat @ Mukuradhan Yadav R/o village-
Hahwan, P.S.- Maharajganj, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner : Mr. Prashant Kumar, Advocate
For the State : Mr. Anil Kumar, APP
For the Informant : Mr. Apurva Kumar, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 06-04-2022 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding in

physical mode in normal course.

Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 376 AB of the Indian Penal
Code and Section 4, 8 of the POCSO Act.

As per prosecution case, it is alleged that victim was
going for natural call at 04:00 A.M. near the Panchayat Bhawan
where accused Ravindra Yadav caught her and forcibly
committed rape upon her.

Learned counsel for the petitioner submits that the



petitioner has been falsely implicated in the present case. He further submits that previous enmity between them due to land dispute. Further submits that the allegation as per F.I.R. not supported the medical opinion. It appears from the medical report that the medical report suggests that there is no sign of recent sexual activity. The petitioner is in custody since 15.03.2021.

Learned counsel for the informant and learned APP for the State has opposed the prayer for bail of the petitioner and submits that the victim has supported the allegation as alleged in the F.I.R. as well as in her statement recorded under Section 164 Cr. P.C.

Considering the facts and circumstances of the case and the period of custody already suffered since 15.03.2021, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Siwan Mahila P.S. Case No. 49 of 2020, with the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Ibrar//-

U		T	
---	--	---	--

