

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70550 of 2021

Arising Out of PS. Case No.-256 Year-2020 Thana- TRIVENIGANJ District- Supaul

1. KAMESHWAR YADAV S/o Late Satya Deo Yadav R/o village- Orlaha, Ward No.- 05, P.S.- Tribeniganj, District- Supaul
2. Mukesh Yadav @ Mukesh Kumar Yadav S/o Late Satya Deo Yadav R/o village- Orlaha, Ward No.- 05, P.S.- Tribeniganj, District- Supaul
3. Bhupen Yadav @ Bhupendra Kumar S/o Late Satya Deo Yadav R/o village- Orlaha, Ward No.- 05, P.S.- Tribeniganj, District- Supaul

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-07-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 448, 354(A), 354(B), 379, 341, 323, 308 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that in the night of 27.08.2020, the petitioner entered her house variously armed and Mukesh Yadav started misbehaving with the informant by putting her under threat by showing a



gun, thereafter Kameshwar Yadav and Bhupendra Yadav disrobed her, Mukesh Yadav tore her blouse, it is next alleged that the accused persons thereafter tried their best to commit rape but were not successful and on alarm, the villagers came when the petitioners fled away.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, it is next submitted that from bare perusal of the allegation as alleged in the FIR, it would manifest that the allegation appears to be inherently improbable and patently absurd, it is next submitted that during the course of investigation the material has come which clearly points towards land dispute between the parties as has been pleaded at Para-8 of the anticipatory bail application.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners and the fact that petitioners are persons with clean antecedent, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-



(Rupees Ten Thousand) each 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 Tribeniganj P.S. Case No. 256 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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