

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5847 of 2023

Arising Out of PS. Case No.-422 Year-2022 Thana- NAANPUR District- Sitamarhi

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GYANI YADAV @ GYANI RAI S/o Late Rajendra Yadav @ RAJENDRA
RAI R/o Village- Jhitaki, P.O.- Bhaur Gardh, P.S.- Nanpur, Distt- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sita Ram Prasad

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

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 01-05-2023 Heard learned counsel for the petitioner as well as

learned APP for the State.

In this case, the petitioner is seeking regular bail in
connection with Nanpur P.S. Case No. 422 of 2022, registered
for the offences punishable under Sections 376, 504 and 506 of
IPC.

As per allegation, the husband of the informant is
tractor driver of the petitioner. Searching the husband of the
informant, the petitioner entered into her house and committed
rape upon her at the point of knife.

Learned counsel for the petitioner has submitted
that the matter has been compromised. He has submitted that
there was an agreement to sale between the husband of the



informant and the petitioner. He has submitted further that as per the terms and conditions of the agreement to sale the husband of the informant had to transfer his land in favour of the petitioner in lieu of consideration money and when the petitioner asked her husband to execute the sale-deed, he falsely implicated him in the present case. There is no medical evidence in this case.

On the other hand, learned counsel for the informant and learned APP Sri J.N. Thakur have opposed the prayer for bail and submitted that the story of agreement to sale is concocted to save the neck of the petitioner from clutches of law. They have also submitted that the said agreement to sale is not registered which is apparent from annexure-3.

Considering the above-mentioned facts and circumstances, the bail petition of the petitioner is rejected.

If the trial is not concluded within a period of one year, the petitioner will be at liberty to renew his prayer for bail.

(Nawneet Kumar Pandey, J)

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