

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12417 of 2023

Arising Out of PS. Case No.-101 Year-2022 Thana- MAHILA PS District- Gaya

RANVIJAY KUMAR YADAV Son of Saryu Yadav @ Sarju Yadav Resident
of Village - Adalpur, P.S.- Rafiganj, District - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Pandey
For the Opposite Party/s : Mr. Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 11-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 376, 376 2(d) (e), 406 of the Indian Penal Code.

According to the FIR, the informant who was pregnant gone for checkup where co-accused Sharwan Kumar committed rape with her before delivery of child. Further when the informant asked for her child, the co-accused demanded money for handing over the second new born child.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in the FIR rather his name was transpired in this case during course of investigation and he has falsely been implicated in this case. Learned counsel further



submits that the medical officer has not reported any sign of intercourse or delivery of child of the informant. From perusal of FIR, it appears that the specific allegation against co-accused Sharwan Kumar who is already getting privilege of bail granted by a co-ordinate Bench of this court vide order dt. 15.5.2023 passed in Cr. Misc. No. 11741 of 2023. Moreover, the petitioner has got no criminal antecedent and languishing in judicial custody since 12.11.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Gaya (Mahila) P.S. Case No. 101 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Gaya.

(Sunil Kumar Panwar, J)

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