

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11762 of 2023

Arising Out of PS. Case No.-78 Year-2020 Thana- MAHILA P.S. District- Kaimur (Bhabua)

AJIT KUMAR @ RAKESH KUMAR YADAV Son of Shiv Singh @ Shiv
Dular Singh @ Shiv Dular Singh Yadav @ Shiv Dular Yadav Resident of
Village - Madurni, P.S.- Chainpur, District - Kaimur (Bhabua)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Sunil, Advocate
For the Opposite Party/s : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 05-04-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner has renewed his prayer for bail
registered under section 376G and other sections of the Indian
Penal Code.

The earlier prayer for bail of the petitioner was
rejected vide order dated 30.9.2021 passed in Cr. Misc.
no.20503 of 2021.

As per the prosecution case, when the informant was
cutting grass, five accused persons including the two petitioners
herein came near them, started to abuse them and forced her
friend to run away. It is further stated that accused Dhananjay
Yadav started to commit rape. On hulla being raised, three



accused persons managed to escape but the petitioners herein were caught.

It is submitted by learned counsel for the petitioner that from perusal of the allegations in the F.I.R. (Annexure-2), it would transpire that the allegations are general and omnibus against all including this petitioner and co-accused Chhathu Yadav while there is specific allegation against the co-accused Dhananjay Yadav. The said Dhananjay Yadav has been enlarged on bail vide order dated 4.8.2022 (Annexure-4) passed in Cr. Appeal (SJ) no.157 of 2022. Even co-accused Chhathu Yadav has been enlarged on bail vide order dated 18.1.2023 passed in Cr. Misc. no.72239 of 2022 (Annexure-3). The petitioner has remained in custody since 2.10.2020, has no criminal antecedent and investigation in the case has concluded. He undertakes to cooperate in the trial.

Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R., grant of bail to the main accused Dhananjay Yadav vide order dated 4.8.2022 (Annexure-4) and the petitioner having remained in custody since 2.10.2020, the Court directs the petitioner to be enlarged on bail in connection with Sessions Trial no.70 of 2021 (arising out of Mahila (Bhabua) P.S. Case no.78 of 2020) on



furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge 1st, Kaimur (Bhabua).

(Partha Sarthy, J)

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