

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26785 of 2023

Arising Out of PS. Case No.-1 Year-2023 Thana- CHANDRAMANDI District- Jamui

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RANJEET YADAV SON OF LATE PANCHANAND YADAV R/O
VILLAGE- SAUNAIYA (SONAIYA), P.S.- CHANDRAMANDI
(CHANDRAMANDIH), DISTRICT- JAMUI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bharat Lal, Adv.
For the Opposite Party/s : Mr. Dr. Indihar Kumari, APP
For the Informant : Mr. Aditya Pandey, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

- 3 20-07-2023 1. Heard learned counsel for the petitioner, learned counsel for the informant and learned Additional Public Prosecutor for the State.
2. Petitioner seeks bail, who is in custody since 04.01.2023 in connection with Chandramandi (Chandramandih) P.S. Case No. 01/2023, dated 03.01.2023, for the offences punishable under Section 376 of the IPC but the police submitted charge sheet under Section 354(B) of the IPC.
3. According to prosecution case, the petitioner is alleged to have taken the informant in his arm and touched pistol on her chest and threatened to kill her and thereafter committed rape upon her.
4. Learned counsel for the petitioner submits that the



petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. He further submits that the date of alleged occurrence is 02.01.2023 and the medical report of the victim was conducted on 03.01.2023 but the medical report does not support the allegation as alleged in the F.I.R. as well as the statement of the victim recorded under Section 164 of the Cr.P.C. He further submits that the police after investigation submitted the charge sheet under Section 354(B) of the IPC against the petitioner and the petitioner is in custody since 04.01.2023.

5. Learned counsel for the informant as well as learned Additional Public Prosecutor for the State on the other hand vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Jamui in connection with Chandramandi (Chandramandih) P.S. Case No. 01/2023, subject to 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 witnesses, 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)

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