

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27860 of 2023

Arising Out of PS. Case No.-15 Year-2023 Thana- MAHILA PS District- Darbhanga

SHRAWAN KUMAR YADAV S/O LATE LAXMI NARAYAN YADAV @
LAXMI YADAV R/O Village- Souan (Sonadih), P.S- Biraul, Distt.-
Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pushkar Narain Shahi, Sr. Adv. along with Mr. Shivam, Advocate
For the Opposite Party/s	:	Mr. Dr.Mrityunjaya Kr.Gautam, APP
For the Informant	;	Mr. Pankaj Kumar Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 16-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 376, 504, 506/34 of the
IPC.

3. The allegation against the petitioner along with
others is of committing rape upon the informant on the false
pretext of marriage.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case due to
dirty village politics. He has committed no offence. The victim
is aged about 19 to 20 years, which has determined by the



Medical Board. Petitioner has got absolutely no concern with the victim, who happens to be the sister of the daughter-in-law of the aunt (*Mausi*) of the petitioner and only due to that fact the family of the petitioner has refused to get him married with the informant, thereafter the false case has been lodged with an intention to pressurize the petitioner. The statement of the victim recorded u/s 164 of the Cr.P.C. in which she stated that the petitioner used to come at her home for five to six years and it seems to be a consensual relationship between the petitioner and the victim. He further submitted that there is no prior complaint against the petitioner in respect of doing wrong to the victim. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 24.02.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the



satisfaction of the learned S.D.J.M., Darbhanga in connection
with Mahila P.S. Case No. 15 of 2023.

(Sunil Kumar Panwar, J)

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