

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44276 of 2023

Arising Out of PS. Case No.-6 Year-2020 Thana- MAHILA PS District- Gaya

RAM BABU YADAV @ RAMBABU KUMAR Son of Jitan Yadav Resident
of village - Kandi Nawada, P.S. - Chandauti, Distt. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Priya Ranjan, Advocate
For the Opposite Party/s : Mr.Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 25-07-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.
2. Petitioner seeks regular bail in connection
with Mahila P.S. Case No.6 of 2020 dated 16.06.2020 registered
for the offence(s) punishable under Section(s) 376(D) of the
Indian Penal Code.
3. The main submissions advanced by the
learned counsel for the petitioner are that admittedly the
informant is major and married lady and the allegations levelled
by her in the FIR are totally false and the same do not get
support from her medical examination, earlier the informant
lodged similar type of case i.e. Buniyadganj P.S. Case No.29 of
2017 against one namely Rohit Kumar which was later on
compromised by her and the present matter has also been



compromised by the informant which shows her intention mainly to extort money from innocent persons and petitioner has been languishing in jail since 24.01.2023. Further submission is that two similarly situated co-accused persons namely Sadhu Chaudhary @ Pramod Kumar and Munna Yadav @ Munna Kumar have been granted bail by different Benches of this Court vide orders passed in Cr. Misc. Nos.6644 of 2022 and 18583 of 2021 respectively.

4. Learned APP appearing for the State opposes the bail prayer.

5. Considering the above submissions and mainly the petitioner's plea that the medical examination does not support the allegations levelled by the informant and admittedly the informant is a married lady and she left her house on the telephonic call made by this petitioner as appears from the FIR and two co-accused persons named above carrying similar nature of allegation are on bail and as per the statement made in paragraph 6 of the petition the informant earlier lodged Buniyadganj P.S. Case No.29 of 2017 against one namely Rohit Kumar with the similar type of allegation and that case was compromised by her and as per above submission, the instant matter has also been compromised by her and the said fact



raises a question regarding the reliability of the allegations levelled by her, in the opinion of this Court a lenient approach can be taken in respect of the petitioner’s prayer, let the petitioner be released on bail in connection with Mahila P.S. Case No.6 of 2020 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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