

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52723 of 2023

Arising Out of PS. Case No.-103 Year-2013 Thana- SARSI District- Purnia

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Dhani Yadav @ Pradip Kumar Yadav S/O Late Kali Charan Yadav Resident
Of Saroja, Barena Yadav Tola, P.S- Sarsi, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal

For the Opposite Party/s : Mr.Rita Verma

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 01-12-2023 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 Section 376 of the Indian Penal
Code.

3. The allegation against the petitioner is of
committing rape upon the informant forcefully.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Victim is a married lady and blessed with
four children. He submitted that from the perusal of the vide
para 8 of the case diary, it appears that the witness Sumant
Yadav son of Ram Prasad Yadav stated that the husband of the
victim doing business while staying outside for almost three



years, there is an illegal relationship in between the victim and the petitioner. He further submitted that during investigation, the victim has not supported the prosecution case, which has come in vide para-2 of the case diary. He is languishing in judicial custody since 07.04.2023.

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 1st Additional Sessions Judge, Purnia in connection with Sarsi P.S. Case No. 103 of 2013.

(Sunil Kumar Panwar, J)

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