

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 3090 of 2023

Arising Out of PS. Case No.-50 Year-2021 Thana- RAJAON District- Banka

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Bhavesh Yadav S/O Late Hari Yadav R/O Village- Kathchatar, P.S- Rajoun,
District- Banka

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr.Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-03-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 341, 323, 354(B), 504, 506 and 34 of the Indian Penal Code.

As per prosecution case, It is alleged that upon raising alarm by the grand daughter, the informant came at the doorsteps and saw Bhawesh Yadav doing bad act with her, thereafter Bhawesh Yadav started fleeing away, when the informant tried to catch him.

Learned counsel for the petitioner submits that no such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature.



He further submits that there is delay of about two months in lodging the F.I.R., the occurrence allegedly took place on 11.12.2020, and the F.I.R. came to lodged on 04.02.2021, there is no explanation regarding delay in filing the F.I.R., which creates serious doubt on the prosecution case. Petitioner has got two criminal antecedents as mentioned in para-3 of this application.

Learned APP for the State opposes prayer for anticipatory bail.

Considering the facts and circumstances of the case and the fact that there is delay in filing the FIR, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Rajoun P.S. Case No. 50 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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