

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44050 of 2024

Arising Out of PS. Case No.-13 Year-2024 Thana- BARHARA District- Bhojpur

Vikash Yadav @ Vikas Kumar Yadav Son Of Late Mahendra Yadav @ Munna Yadav Village- Bhabhangawan, Ps- Barhara (KRISHNAGARH), Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Adv.

For the Opposite Party/s : Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 26-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Barhara P.S. Case No. 13 of 2024 registered under Sections 147, 148, 149, 452, 323, 354-B, 394, 376, 511, 436, 447, 120-B, 504 and 506 of the Indian Penal Code.

3. As per F.I.R., on 14.05.2023 at about 7:00 a.m., all the FIR named accused persons including this petitioner entered the house of informant and started abusing her. On protest, the accused persons assaulted informant and her family members with *lathi*. It is alleged that this petitioner tried to outrage the modesty of informant. It is next alleged that the accused persons threatened informant and her family members on gunpoint,



snatched gold and other articles, and co-accused Mohan Yadav set the house of informant on fire. It is lastly alleged that the present occurrence took place in the backdrop of Barhara P.S. Case No. 517 of 2020 which was lodged against the accused persons for kidnapping and murder of father of informant.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has falsely been implicated in the present case due to enmity. No specific over act is alleged against this petitioner. So far as allegation of outraging the modesty of informant is concerned, the same has been levelled only with a view to make the case grave. By filing supplementary affidavit, learned counsel for the petitioner submits that petitioner is not accused in Barhara P.S. Case No. 517 of 2020, as such he has no concern with the outcome of the case. As a matter of fact, petitioner earlier lodged a case bearing Barhara P.S. Case No. 291 of 2023 against brother of informant for the murder of father of petitioner and co-accused Anku Yadav had also lodged a case bearing Barhara P.S. Case No. 220 of 2021 for attempting murder of the mother of the petitioner, and the present case is nothing but an attempt to hold back the petitioner and others from proceeding in the abovementioned case.



5. Learned A.P.P. for the State opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Ara, Bhojpur in connection with Barhara P.S. Case No. 13 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Singh, J)

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