

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67250 of 2024

Arising Out of PS. Case No.-197 Year-2011 Thana- BAUNSI District- Banka

Kuldeep Yadav S/O Thakur Yadav R/O Village- Narchatari, P.S- Bounsi,
Distt.- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Praveen Kumar, Adv. Mr. Raushan Kumar, Adv.
For the Opposite Party/s	:	Mr. Bharat Bhushan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 01-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Bounsi P.S. Case No. 197 of 2011, registered for the offences under Sections 341, 323, 376, 379, 504 and 34 of the Indian Penal Code.

3. As per the prosecution case, co-accused Krishnadeo Yadav committed rape with the complainant informant and allegation against the petitioner is that he snatched some ornaments from the informant and facilitated the escape of co-accused and also threatened the informant.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been



falsely implicated in this case. The complaint has been filed in the year 2006 and the FIR has been lodged in the year 2011 and thereafter charge sheet has been submitted in the year 2012. The police after investigation filed charge sheet against the petitioner and co-accused for offences under Section 323 and 504 of the Indian Penal Code. Further, learned trial court, differing from the police report, took cognizance against the petitioner and co-accused under Section 376 and 379 and other bailable sections of the Indian Penal Code. The learned counsel further submits that the occurrence took place in the background of land dispute between the parties and the petitioner is having clean antecedent and he is in custody since 26.06.2024 and charge sheet has been submitted against the petitioner.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the clean antecedent of the petitioner and further considering the submission of charge sheet and period of custody of the petitioner, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the



satisfaction of learned J.M.-1st Class, Banka/concerned court, in connection with Bounsi P.S. Case No. 197 of 2011, subject to the condition laid down under Section 437(3) of the code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the below, if so required by the learned trial court.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

anuradha/-

U		T	
---	--	---	--

