

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79690 of 2023

Arising Out of PS. Case No.-374 Year-2021 Thana- MIRGANJ District- Gopalganj

Nagendra Yadav @ Theha S/O Lagan Chaudhari R/O Village- Mohammadpur
PS. Siwan Muffasil, Distt. Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Shekhar

For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-01-2024 Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence under Sections 341, 323, 354, 354(B), 504, 506, 34 of the Indian Penal Code.

3. The prosecution case, in brief, is that on 13.11.2021 at about 4:00 AM (morning), the informant's daughter namely Priyanka Kumari, aged about 19 years and Anjali Kumari, aged about 8 years, were returning to their house after attending the call of nature, in the meantime, petitioner alongwith other co-accused persons reached there. Co-accused Dinesh Yadav pressed the girl's face and this petitioner alongwith co-accused Yogendra Yadav started carrying them on their shoulders, however, on alarm raised by the victims, other family members reached there and accused persons fled away from the spot.



4. It is submitted on behalf of petitioner that petitioner has been falsely implicated in this case due to land dispute. No such occurrence, as alleged in the F.I.R., has ever taken place. Similarly situated co-accused Yogendra Yadav has already been granted anticipatory bail by a coordinate Bench of this Court, vide order dated 28.03.2023 passed in Cr.Misc. No. 2746 of 2023 (Annexure – 2 to the petition). Petitioner has got clean antecedent.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. - XV, Gopalganj in connection with Mirganj P.S. Case No. 374 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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