

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84476 of 2023

Arising Out of PS. Case No.-91 Year-2023 Thana- MAHILA P.S. District- Lakhisarai

Dhathuri Yadav @ Dhaturi Yadav S/O Chhotu Yadav R/O Village-
Sandhmaph, P.S- Halsi, Distt.- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Dubey, Advocate

For the Opposite Party/s : Mr.Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

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

2. The petitioner seeks regular bail in connection with
Lakhisarai Mahila P.S. Case No.91/2023 lodged on 20.09.2023
under Section 376 of the Indian Penal Code.

3. As per the prosecution case, the FIR has been
lodged against the petitioner with an allegation that he tried to
commit rape upon the informant on the pretext of marriage.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. From the
content of the FIR, it appears that the petitioner alleged to have
tried to commit rape upon the informant in April whereas the
present FIR has been lodged on 20.09.2023, which itself
indicates that the present FIR has been lodged with the frivolous
allegation. He further submits that the age of the alleged victim



as shown in the FIR is 45 years whereas the age of the accused is about 57 years. The petitioner specifically pleaded in paragraph no.6 of the petition that after the death of the petitioner's wife, the alleged victim at the instance of her family members started putting pressure on him to marry her, and when the petitioner refused the same, then only with a view to create pressure for marriage this false case has been lodged against him. The petitioner is in custody since 20.09.2023 and is accused in one more criminal case.

4. Learned counsel for the State opposes the prayer for bail.

5. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Gopalganj, in connection with Lakhisarai Mahila P.S. Case No.91/2023, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure.

(Dr. Anshuman, J)

Ashwini/-

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

