

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86144 of 2023

Arising Out of PS. Case No.-130 Year-2020 Thana- MAHILA P.S. District- Nalanda

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Anil Yadav S/O Jagdish Yadav Village Goraiyapar P.S Manpur District
Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad

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

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 376, 511, 307, 324, 379, 34 of the Indian Penal Code.

3. As per the prosecution case, it is alleged that the petitioner has tried to outrage the modesty of the informant. When informant's husband came to rescue her, the petitioner assaulted her husband with iron rod.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the FIR was lodged under Section 376 of the IPC and other



Sections of the IPC, but after investigation the police has omitted Section 376 of the IPC. He further submits that both the parties are co-villagers and there is previous enmity between both the parties. He also submits that no independent witness has supported the prosecution case. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the fact that there is land dispute between the parties, 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 Mahila P.S. Case No. 130 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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