

In the Court of Sessions Judge, Gopalganj.

A.B.P. No.2029/2020

Ravindra Yadav @ Ravindra Chaudhary.....Petitioner.

Versus

The State of Bihar.....Opposite Party.

For the petitioner :- Sri Shambhu Sharan Singh, Advocate.

For the O.P.(State) :- Sri Deo Vansh Giri, P.P.

O r d e r

04-01-2021

Anticipatory bail petition filed on behalf of petitioner Ravindra Yadav @ Ravindra Chaudhary, who is apprehending his arrest in connection with Mirganj P.S. Case No.251/20 registered U/Ss. 341, 324, 325, 354, 504/34 of the I.P.C., is put up for hearing.

Heard the ld. counsel for the petitioner and the ld. P.P. for the state and perused the L.C. Record.

Ld. Counsel for the petitioner has submitted that petitioner is quite innocent and has committed no offence as alleged. It is further submitted that all the alleged Sections are bailable except Sec. 354 I.P.C. which is not made out in this case in any view of the matter as no occurrence took place as alleged. As a matter of fact, there is land dispute going on between the parties. Hence, petitioner prayed for anticipatory bail.

Ld. P.P. opposed the bail of petitioner.

The prosecution case, in brief, is that on the alleged date and time of occurrence, when informant was going to defecation in the meantime petitioner caught hold her hand and trying to molest her

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when she cried for help then her family members came there and save her. In the course of altercation, when her husband was going to house of petitioner for scolding him and he reached at the door of Gorakh Yadav then petitioner's cousin brother meet there and told the incident but after hearing story he annoyed and started hurling abuses and when her husband forbad him, at the same time petitioner's cousin brother called other persons with Lathi, Farsa and other weapons. After coming, one of the co-accused Sachin Yadav assaulted with Lathi to the husband of informant causing he fell down as unconscious. After hearing noise, other family members came there and rescued him. Hence, the F.I.R.

Perused the L.C. Record. According to the F.I.R., petitioner is alleged to have assaulted the informant by iron-rod and she sustained injuries. Case-diary as called for has not been received as yet. It appears that there is land dispute between the parties and this case has been instituted U/S 354 I.P.C. and other bailable Sections of the I.P.C. and there is lack of intention of outraging modesty and hence, it appears to be ornamental.

In view of the aforesaid facts and circumstances of the case, submission of the ld. counsel for the parties, petitioner is ordered to surrender before the ld. court-below taking all the preventive measures of Covid-19 and seek regular bail and the ld. Court-below shall dispose of the regular bail of petitioner considering the facts

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and circumstances discussed above, without being prejudiced by this order. Accordingly, the prayer for anticipatory bail of petitioner stands disposed of as stated above.

(Dictated)

Sessions Judge, Gopalganj.