

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31064 of 2014

Arising Out of PS.Case No. -138 Year- 2013 Thana -PURAINI District- MADHEPURA

1. Krishna Devi, W/o Dinesh Yadav
2. Nitesh Yadav, S/o Dinesh Yadav
Both are residents of village- Sapardah, P.S.- Puraini, District- Madhepura

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Rakesh Chandra, Adv.

For the Opposite Party/s : Mr. Murlidhar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 29-01-2015 Heard learned counsel for the petitioners and learned counsel representing the State.

The petitioners, apprehending their arrest in connection with Puraini P.S. Case No. 138 of 2013 registered for the offences punishable under Sections 341, 323, 353, 224, 216, 504, 506/34 and 120(B) of the Indian Penal Code, seek the privilege of pre-arrest bail.

Allegedly, the police arrested Dinesh Yadav, who was absconding after conviction but the petitioners and other F.I.R. named accused persons along with 5-6 unknown attacked on the police party and freed Dinesh Yadav.

Submission is that the petitioner no. 1 is a lady. As a

matter of fact Dinesh Yadav was not present in the house and the police only with a view to save the skin has lodged this case. No one has been injured and as such, the petitioners deserve sympathetic consideration, to which the learned A.P.P. opposes.

The petitioners are the wife and son of Dinesh Yadav and they along with others got freed Dinesh Yadav and as such, this Court is not persuaded to grant the privilege of pre-arrest bail to the petitioners and accordingly, such prayer stands rejected. However, in case and if so advised, the petitioners surrender and seek regular bail then their prayer for regular bail shall be considered on the same day on its own merit without being prejudiced by this order.

(Jitendra Mohan Sharma, J)

Vats/-

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