

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.1663 of 2017

Arising Out of PS.Case No. -53 Year- 2016 Thana -MOKAMAH District- PATNA

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1. DEVENDRA YADAV @ DEVENDRA PD. YADAV son of Late
Bakhauri Yadav
2. Manish Kumar son of Dvendra Yadav
All R/o Modan Ganchi, Ward No. 5, P.S.- Mokama, District- Patna
..... Petitioners

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey
For the Opposite Party/s : Mr. Sri Umanath Mishra

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 18-01-2017 Heard learned counsel for the petitioners and learned
counsel representing the State.

Petitioners apprehend their arrest in connection with
Mokama P.S. Case No. 53 of 2016 registered for the offences
punishable under Sections 341, 323, 504, 448, 308, 354,(A)/34 of
the Indian Penal Code.

Allegedly, the petitioner no. 2 Manish Kumar called
through mobile and started abusing the mother of the informant,
the petitioner no. 1 Devendra Yadav and co-accused Bittu Kumar
also started abusing and pulled her *Dupatta* and Bittu Kumar
assaulted with rod on the head of the informant.

Submission is of false implication and that specific
allegation for assaulting with iron rod is against Bittu Kumar not



against the petitioners and so far as the allegation of pulling *Dupatta* is concerned, the same is ornamental one and has been alleged only with a view to give colour to this case and it is not believable that father and son jointly will commit such offence and as such the petitioners deserve sympathetic consideration.

Learned APP opposes the prayer of pre-arrest bail.

In the facts and circumstances stated above, the petitioners above named, in case of their surrender or arrest within four weeks from the date of receipt/production of a copy of this order, shall be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Deepak Kumar, J. M. Ist Class, Barh, Patna in connection with Mokama P.S. Case No. 53 of 2016, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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