

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7990 of 2017

Arising Out of PS.Case No. -76 Year- 2016 Thana -MAHILA P.S. District- VAISHALI(HAJIPUR)

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Shasi Bhushan Yadav @ Shashi Yadav, Son of Sri Kishun Lal Yadav,
Resident of Village/ Mohalla- Police Centre, Hajipur, P.S.- Sadar (Hajipur),
District- Vaishali.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Pramod Kumar, Advocate

For the Opposite Party : Mr. Matloob Rab (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 03-03-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner apprehends his arrest in connection
with Mahila P.S. Case No. 76 of 2016, registered for the offences
punishable under Sections 376, 511, 354, 354(D)(II), 504, 506 of
the Indian Penal Code.

Allegedly, the petitioner demanded Rs. 7,000/- from
the informant or to sleep with him for a night and thereafter he
touched the sensitive organ of the informant. The petitioner started
making telephone call on mobile and then the informant gave
information to Senior police officer.

Submission is of false implication and that no offence
under Sections 376/511 of the I.P.C. is made out. The petitioner



has been made victim of internal politics of the department and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of pre-arrest bail.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner, I am not inclined to grant privilege of pre-arrest bail to him and accordingly his such prayer stands rejected in connection with Mahila P.S. Case No. 76 of 2016, pending in the Court of learned Chief Judicial Magistrate, Vaishali at Hajipur.

However, in case and if so advised the petitioner surrenders and seeks regular bail then his prayer for regular bail shall be considered preferably on the same day on its own merits without being prejudiced by the order of this Court.

(Jitendra Mohan Sharma, J.)

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