

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49656 of 2017

Arising Out of PS.Case No. -34 Year- 2017 Thana -MORE District- DARBHANGA

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1. Nand Kishore Yadav

2. Pramod Yadav

Both sons of Damodar Yadav, residents of village- Araila, P.S.- Moro,
District- Darbhanga.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Navesh Nandan, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

3 09-11-2017 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

The petitioners seek pre-arrest bail in connection
with Moro P. S. Case No. 34 of 2017 registered under Sections
341, 323, 379, 354-B, 448, 504 & 506/34 of the Indian Penal
Code.

Learned counsel for the petitioners submitted that the
petitioners have been falsely implicated in this case and there is
no truth behind the allegation that they tried to outrage the
modesty of the informant. He submitted that as a matter of fact,
the petitioners are neighbours of the informant of the case and



there is dispute owing to passage between the parties as a result of which on the date of occurrence itself, the family members of the informant had assaulted the petitioner no. 1 badly and the petitioner no. 1 had immediately rushed to Darbhanga Medical College Hospital and after getting treatment, he went to the police and lodged an FIR vide Moro P. S. Case No. 35 of 2017 under Sections 341, 323, 379, 354, 504 & 506/34 of the Indian Penal Code. He submitted that the petitioners have no criminal antecedent and having roots in the society, they are not likely to abscond or tamper with the evidence.

On other hand, learned Additional Public Prosecutor for the State has submitted that it is true that there is case and counter case, but so far as allegations against the petitioners are concerned, they are quite serious.

Regard being had to the submissions made above, the petitioners named above are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Darbhanga in Moro P. S. Case No. 34 of 2017 , subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure, in the event of arrest or



surrender before the court below within six weeks from today.

(Ashwani Kumar Singh, J.)

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