

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56626 of 2018

Arising Out of PS.Case No. -167 Year- 2017 Thana -SAHARSA COMPLAINT CASE District-
SAHARSA

- =====
1. Mukti Yadav, Son of Sukhdeo Yadav, resident of Village- Sidikpur, Shankarthua, Police Station Mahishi, District Saharsa.
 2. Rajkumar Yadav, Son of Rasik Lal Yadav
 3. Ashok Yadav @ Ashok Kumar Yadav Son of Rasik Lal Yadav, 2 & 3 are resident of Village- Manowar Police Station Mahishi, District Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Urmila Devi, wife of Bhajan Yadav, resident of Village-Manowar Police Station Mahishi, District Saharsa.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satish Kumar Singh, Adv
For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 28-09-2018 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Section 365 of the Indian Penal Code registered in connection with Protest-cum-Complaint Case No. 167C/2017.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of an earlier Jalai (Mahishi) P.S. Case No. 74/2004 dated 20.09.2014 filed by the complainant and after investigation by the police, final form was submitted. The instant Complaint Case has been instituted on the Protest Petition of the informant. The backdrop is that the petitioner no. 1 had instituted Mahishi P.S. Case No. 43/2004 against the informant's son who had enticed his daughter away with the intention of marriage. The



petitioners claim clean antecedents.

4. Having regard to the entirety of the facts and circumstances, as such, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Saharsa, in connection with Protest-cum-Complaint Case No. 167C/2017, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioners.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) The petitioners shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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