

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12915 of 2018

Arising Out of PS.Case No. -65 Year- 2017 Thana -KALUAHI District- MADHUBANI

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1. Mahesh Kumar Yadav, Son of Late Bindeshwar Yadav, Resident of Village- Pursauliya, P.S. Kaluwahi, District- Madhubani.
2. Shambhu Yadav, Son of Kameshwar Yadav, Resident of Village- Ushrahi, P.S. Deodha, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha

For the Opposite Party/s : Mr. Sri Murlidhar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 03-04-2018 Learned counsel for the petitioner is permitted to
make correction in the first paragraph of the petition.

Heard the parties.

The petitioners are apprehending their arrest in connection with Kulwahi P.S.Case No.65 of 2017 dated 17.5.2017 corresponding to G.R.No./C.R.I. Case No.868 of 2017 registered for offences punishable under Sections 354(C) , 465, 501, 504 and 506 of the Indian Penal Code and Section 66 (A) of I.T. Act.

Allegation against the petitioners is of sending obscene pictures on the mobile of the informant to create disturbance in the married life of the daughter.

Submission of the learned counsel for the petitioner is that the pictures and photographs have come in the mobile of the petitioner also and he was at Delhi and he has been falsely



implicated in this case as the informant is *Mukhiya* of the village.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of Sri Maneshwar Dubey, J.M. Ist class, Madhubani in connection with Kaluwahi P.S.Case No.65 of 2017 dated 17.5.2017 corresponding to G.R.No./C.R.I. Case No.868 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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