

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45837 of 2019

Arising Out of PS. Case No.-952 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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1. YOGENDRA PRASAD SINGH Son of Late Sachidanand Yadav Resident of Village - Nathupur in front of Animal Fair (Pashu Mela), P.S.- Parsa Bazar, Distt - Patna.
 2. Amit Yadav @ Amit Kumar @ Amit Kunal Son of Yogendra Prasad Singh Resident of Village - Nathupur in front of Animal Fair (Pashu Mela), P.S.- Parsa Bazar, Distt - Patna.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Nawal Kishore Prasad Son of Late Jaypal Singh Resident of Ashok Bihar, Adivasi Colony, P.S.- Alamganj, Distt - Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rakesh Kumar
		Mr. Rikesh Sinha
For the OP No. 2	:	Mr. Rudal Prakash
For the Opposite Party/s	:	Mr.Ramchandra Singh

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 24-07-2019 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 506, 452, 380 and 147 of the Indian Penal Code registered in connection with Complaint Case No. 952 of 2018.

3. It is submitted that the petitioners have been falsely implicated on the accusation of entering the complainant's house on the pretext of negotiating a compromise in connection with the earlier Complaint Case filed by the daughter of the petitioner no. 1 and taking away Rs. 14,000/- and some ornaments and also locking up the complainant's wife in the bathroom. It is submitted that the accusations are motivated and this Complaint has been filed in retaliation to the Complaint filed by the petitioner no. 1 and the order dated 27.03.2018 in Maintenance Case No. 26/2017 by which she had been granted Rs.



6,000/- to be paid by the son of the Complainant, but it was not being paid and for which warrant of attachment for enforcing payment of maintenance was issued on 28.06.2018. The present Complaint has been filed thereafter on 10.08.2018. No independent witness has been produced by the Complainant in support of the accusations. The petitioners claim clean antecedents.

4. Learned counsel for the Complainant appears and opposes the petition submitting that the accusations against the petitioners are serious in nature.

5. Be that as it may, 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 Smt. Susmita Kumari, learned J.M., Patna City, Patna in connection with Complaint Case No. 952 of 2018, 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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