

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63373 of 2022

Arising Out of PS. Case No.-816 Year-2021 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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1. Ved Prakash Yadav Son of Rajendra Prasad Yadav @ Rajendra Yadav R/O Village- Kolhua, P.S.- Babubarhi, District- Madhubani
 2. Surya Narayan Yadav Son of Late Ras Bihari Yadav R/O Village- Kolhua, P.S.- Babubarhi, District- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Reshmi Devi Wife of Ramu Mahto R/O Village- Kolhua, P.S.- Babubarhi, District- Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Kumar Shubham, Advocate
For the Informant	:	Md. Soban Asghar, Advocate
For the Opposite Party/s	:	Mr. Choubey Jawahar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 16-05-2023 Heard Mr. Kumar Shubham, learned Counsel appearing on behalf of the petitioners; Md. Soban Asghar, learned Counsel appearing on behalf of the Informant and Mr. Choubey Jawahar, learned A.P.P. appearing on behalf of the State.

2. The petitioners seek pre-arrest bail in connection with C.R. No. 816 of 2021 offences punishable under Sections 376, 511, 354, 341, 323, 504 and 34 of the Indian Penal code.

3. The prosecution story, in brief, is that



complainant herself has filed complaint against the accused persons named in the F.I.R. that they misbehaved with her.

4. Learned counsel appearing on behalf of the petitioners submits that due to enmity, the petitioners named in the complaint, have been implicated in a false case. It is further informed by the learned counsel that the petitioners' side had lodged one criminal case against the complainant side and in the year 2019 vide Babubarhi P.S. Case No. 111 of 2019 and subsequent to the said case the present complaint petition has been filed. Learned counsel further submits that petitioner have falsely been implicated in the present case due to dirty village politics.

5. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Having considered the rival submission of the parties as well as allegation made in the complaint petition, there is a case and counter case, petitioners are falsely been implicated in the present case due to dirty village politics, I am of the opinion that the petitioners have made out a, *prima facie*, case to be released on pre-arrest bail.



7. The Court below is directed to release the petitioner on anticipatory bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, to the satisfaction of learned J.M. 1st Class, Madhubani in connection with Cr. No. 816 of 2021, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. The present bail application, accordingly, stands disposed of.

(Purnendu Singh, J)

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