

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66177 of 2022

Arising Out of PS. Case No.-375 Year-2021 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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1. PREM KUMAR YADAV @ HAFLU KUMAR Son of Mantu Yadav R/o Mohalla- shanti Nagar, Ward No. 22, P.S.- Katihar Town, District- Katihar
 2. MANTU YADAV Son of Late Rambriksh Yadav R/o Mohalla- shanti Nagar, Ward No. 22, P.S.- Katihar Town, District- Katihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghvendra Kumar Singh

For the Opposite Party/s : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 13-07-2023 Heard learned counsel for the parties.

The petitioners apprehend their arrest in a case registered for the offence under Section 92 of the Rights of persons with Disabilities Act, 2016.

Earlier, a complaint was lodged against petitioners and on that basis, Katihar Town P.S. Case No. 396 of 2020 was registered under Sections 341, 354(A), 506/34 (Annexure – 2), in which, petitioners were allowed bail by the learned court below itself and trial is going on. Thereafter, the present complaint case has been registered against petitioners on the direction of State Commissioner under the Disabilities Act for the previous dispute.



It is submitted on behalf of petitioners that petitioners have been falsely implicated in this case. Entire allegations are false and fabricated. Petitioners have never abused or tortured the complainant. No offence under the Disabilities Act is made out against petitioners. Petitioners were already granted bail by the court below and thereafter, this false and concocted case has been filed only to harass the petitioners.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge – V, Katihar in connection with Complaint Case No. 375 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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