

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49347 of 2015

Arising Out of PS.Case No. -164 Year- 2015 Thana -RAJIVNAGAR District- PATNA

Dr. Pravin Kumar Jha @ Dr. P.K. Jha @ Pravin Kumar Jha son of Ramanath Jha, resident of in front of water tank, near Patliputra Station, Gandhi Nagar, P.S.- Rajeev Nagar, Town & District- Patna (Bihar).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pravin Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 04-11-2015 Heard learned counsel for the petitioner, learned counsel for the State and learned counsel for the informant.

The petitioner seeks pre-arrest bail in connection with Rajeev Nagar P.S.Case No.164 of 2015 registered under Sections 147, 149, 447, 448, 323, 341, 308, 504 and 506 of the Indian Penal Code.

It is contended that the entire allegation leveled against the petitioner is false, concocted and baseless and there is not even an iota of truth. As a matter of fact, the present informant, her husband and her relatives demanded Rs.5,00,000/- as *Rangdari* and with 20-22 miscreants damaged the vehicle of the petitioner and also outraged modesty of the wife of the petitioner, who has



also been made accused in this case, for which Rajeev Nagar P.S. Case No.162 of 2015 has been registered under sections 147, 149, 323, 447, 341, 385, 427, 354, 504 and 506 of the Indian Penal Code. It is further contended that co-accused Dr. Amita Bharti wife, of the petitioner, having more or less identical allegation has already been granted anticipatory bail by a Bench of this Court vide order dated 12.10.2015 passed in Cr. Misc. No.47246 of 2015 of 2015.

Learned counsel for the informant has vehemently opposed the prayer of the petitioner for grant of anticipatory bail. He has submitted that one Pushpendra Kumar Singh, an Advocate of this Court, who intervened to pacify the matter when the informant and the accused persons were altercating, was assaulted by the petitioner as a result of which he sustained fracture injury over his head. He has contended that on completion of investigation of Rajeev Nagar P.S. Case No.162 of 2015, the police have submitted final report. In reply, learned counsel for the petitioner has submitted that a protest petition has already been filed on behalf of the petitioner before the Court of Magistrate alleging that the investigation is not being conducted in a fair and impartial manner.

Be that as it may, taking into consideration the facts and

circumstances of the case, in the event of arrest or surrender in the court below within four weeks from today, the above named petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Saurav Kumar Verma, Judicial Magistrate, 1st Class, Patna in connection with Rajeev Nagar P.S. Case No.164 of 2015 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

Md.S./- **(Ashwani Kumar Singh, J)**

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