

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.55117 of 2015**

Arising Out of PS.Case No. -321 Year- 2015 Thana -BODHGAYA District- GAYA

=====

1. RAHUL KUMAR  
2. AJAY KUMAR, BOTH SON OF TALKESHWAR YADAV  
RESIDENT OF KARMA GUEST HOUSE, BODH GAYA, P.S. BODH  
GAYA, DISTRICT - GAYA

.... .... PETITIONER/S

VERSUS

THE STATE OF BIHAR

.... .... OPPOSITE PARTY/S

=====

**Appearance :**

For the Petitioner/s : Mr. Sudhir Kumar Sinha

For the Opposite Party/s : Mr. Sunil Kr. Panday (App)

=====

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR**  
**MISHRA**  
ORAL ORDER

2      11-12-2015                      Heard learned counsel for the petitioners and the  
  
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection  
with Bodha Gay P.S. Case No. 321 of 2015 registered under  
Sections 341, 323, 379 and 506 of the Indian Penal Code.

The allegation of informant, Anna Roberts, who is  
semi resident in Bodh Gaya since 2007, is that she had returned to  
Scotland on 23<sup>rd</sup> June and her partner Sanjay Kumar, son of  
Talkeshwari Yadav, is in judicial custody. She left the keys for  
guest house, project rooms and personal rooms with her teacher  
Pankaj Sinha between 3<sup>rd</sup> to 7<sup>th</sup> September petitioner no. 1, Rahul  
Kumar and his brother, petitioner no. 2, Ajay Kumar, came and



demanding all the keys from Pankaj, on which, he gave all keys. Thereafter, both petitioners moved in the guest house without permission of the informant and they stated that she would not be allowed into building on her return and there would be violence. She returned on 13<sup>th</sup> September and went to guest house and took small luggage including hand bag with many personal papers and PASSPORT in it. When she came down to get her suitcase petitioner no. 2, Ajay Kumar, came out of room and struggled with her and through to the building and locked the door and ran away.

Learned counsel for the petitioners submits that, in fact, informant and Sanjay Kumar, brother of the petitioners, had created a trust and due to money dispute between them, this false case has been lodged against the petitioners as the house is belonging to the petitioners and story as narrated in the F.I.R. is false.

Considering the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their 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) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gaya, in

connection with Bodh Gaya P.S. Case No. 321 of 2015, subject to the condition as laid down under Section 438(2) of the Cr.P.C. Out of two sureties, one sureties must be parents/close relative of the petitioners.

**(Rajendra Kumar Mishra, J)**

Bhardwaj/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|