

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36261 of 2014

Arising Out of PS.Case No. -1091 Year- 2013 Thana -COMPLAINT CASE District- ARRARIA

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Ram Prawesh Singh @ Ram Prawesh Verma, Son of late Radha Prasad,
Resident of village - Shubhankarpur .P.S. Simraha , District - Araria,
Presently R.M.R Agam Kuan P.S, Alamganj , District - Patna .

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha

For the Opposite Party/s : Mr. Umanath Mishra, Addl.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 11-02-2015

Heard the parties.

The petitioner apprehends his arrest in a criminal prosecution based on a complaint petition, in which cognizance has been taken for offences under Sections 323, 341, 380 and 420/34 of the Indian Penal Code.

Taking into consideration the fact that there is a serious land dispute between the parties giving rise to the present case, wherein the complainant claims the land on the basis of a registered sale deed, whereas the accused persons including the petitioner are claiming the land in question on the basis of inheritance, the prayer for anticipatory bail is allowed. In the event of his arrest or surrender in the court below within a period of four weeks from today, let the above named petitioner be enlarged on bail on furnishing bail bond of Rs. 25,000/- with two sureties of the like amount each to the satisfaction of Sri Sanjay Singh, learned Judicial Magistrate-1st Class, Araria in connection with Complaint Case No.1091C of 2013, subject to the condition as

laid down under Section 438(2) of the Cr.P.C. and subject to further conditions that:

(A) One of the bailors must be government servant or close family members of the petitioner, who will file an affidavit in the court below showing his/her relationship with the petitioner,

(B) if the petitioner is found involved in same and similar nature of cases in future, then in that case the informant/prosecution shall be at liberty to file a petition for cancellation of bail of the petitioner, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving opportunity of hearing to all concerned;

(C) the petitioner shall make regular pairvi in the court below in the present case either by appearing himself in person or through representation by his lawyer on each and every date, and if on two consecutive dates petitioner fails to make pairvi, then the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Prasad Verma, J)

Arvind/-

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