

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30569 of 2016

Arising Out of PS.Case No. -21 Year- 2016 Thana -DERNI District- SARAN

=====

Raj Kishore Prasad @ Raj Kishore Pd., Son of Rajendra Prasad, resident of
Village- Salempur, P.S. Derni, District- Saran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Mukesh Kumar Singh, Advocate

For the Opposite Party : Mr. Parmeshwar Mehta APP-42

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 13-12-2016 Heard Sri Mukesh Kumar Singh learned counsel for the

petitioner and learned counsel for the State.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Derni P.S. Case No. 21 of 2016, registered for the offences punishable under Sections 380/427/504/506 of the Indian Penal Code.

Allegedly, the informant had gone to Guwahati (Assam) to earn his livelihood and in his absence his two rooms were demolished and all the articles such as bed, utensils and ornaments kept therein were made traceless by the petitioner.

Submission is of false implication and that the room was in dilapidated condition and fallen down. There was no articles of the informant kept therein. Partition Suit No. 235 of



2001 is already going on between the parties and allegation of stealing house hold articles by the petitioner is nothing but brain child of the informant to put unnecessary pressure. The petitioner has been granted ad-interim bail by order dated 06.10.2016 and, as such, he deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of bail.

In the facts and circumstances as stated above, considering that both the parties are brothers. Partition Suit is already pending between the parties and, as such, the petitioner in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall 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 learned Additional Chief Judicial Magistrate- VII, Saran, Chapra, in connection with Derni P.S. Case No. 21 of 2016, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

Rajiv/-

U		T	
---	--	---	--

