

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47763 of 2015

Arising Out of PS.Case No. -166 Year- 2015 Thana -RAJIVNAGAR District- PATNA

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Ravikant Pathak son of shri Jitendra Nath Pathak resident of Mohalla A.G.
Colony Near Park Police Station Shastri Nagar District Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kumar Singh, Advocate

For the Opposite Party/s : Mr. Dinesh Singh, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 29-01-2016

Heard the parties.

The petitioner apprehends his arrest in a criminal prosecution registered under Sections 420, 427 and some other allied offences under the Indian Penal Code.

Taking into consideration the fact that the only allegation against the accused persons including the petitioner in the first information report vide Annexure-1 is that they were allegedly attempting to encroach the lands belonging to the Bihar State Housing Board and further taking into consideration the fact that he is the first offender, the prayer for anticipatory bail made on behalf of the petitioner is allowed.

Let the petitioner Ravikant Pathak, in the event of his arrest or surrender in the court below within a period of four weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/-(Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Patna in connection with Rajiv Nagar P.S.Case No. 166 of 2015, subject to the conditions laid down under Section 438 (2) of the Cr.P.C. and subject to the further conditions that:

(A) one of the bailors must be government servant or close family member 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, and

(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 dates, 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)

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