

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.14619 of 2016

Arising Out of PS.Case No. -177 Year- 2015 Thana -RAJIVNAGAR District- PATNA

1. Awadhesh Singh Son of late Raj Ballabh Singh Resident of Mohalla-Digha Patepur, PS Digha ,District Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lovekush Kumar

For the Opposite Party/s : Mr. Kanhaiya Kishore(App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

2 22-04-2016 Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Rajiv Nagar Police Station Case No. 177 of 2016, disclosing offences under Sections 447, 420, 427/34 of the Indian Penal Code and Section 3 of the Prevention of Damage to the Public Property Act.

The Executive Engineer, Digha Camp, Bihar State Housing Board, is the informant of the present case. It is alleged that the petitioner was getting piling work done on a plot of land through a contractor, which is part of the land acquired by the Housing Board. Allegedly, the petitioner, thus, attempted to encroach upon the land of the Housing Board.

Learned counsel for the petitioner has submitted that he was not directly involved in the said construction.

Be that as it may, in the background of the nature of the accusation against the petitioner, this application is allowed.

Let the petitioner, Awadhesh Singh, in the event of his arrest or surrender before the Court below within six weeks, 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 Chief Judicial Magistrate, Patna, in connection with Rajiv Nagar Police Station Case No. 177 of 2015, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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