

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14683 of 2016

Arising Out of PS.Case No. -152 Year- 2014 Thana -BODHGAYA District- GAYA

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1. SMT. POONAM RAI @ POONAM RAI W/o Surendra Kumar Suman
R/o Mohalla - Rajapur, P.S. Bodh Gaya, Distt. - Gaya
2. Anil Kumar S/o Late Hari Kishun Ram R/o Mohalla - Muffasil More,
P.S. Muffasil, Distt. - Gaya

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Viveka Nand Singh

For the Opposite Party/s : Mr. Khurshid Anwar (App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 29-04-2016 Heard learned counsel for the petitioners and the learned
Addl. Public Prosecutor, appearing on behalf of the State.

This application for grant of anticipatory bail arises out of Bodh Gaya P.S.Case No. 152/2014, disclosing offences under section 188 of the Indian Penal Code and section 325 of the Municipal Act.

It is alleged against the petitioners that they indulged in construction of a house in Ward No.6, Bodh Gaya in violation of Master Plan Vision 2005-31.

Learned counsel, appearing on behalf of the petitioners, has submitted that the police upon completion of investigation submitted final report exonerating these petitioners. However, learned Magistrate differing with the police report took

cognizance of the offences. He has also submitted that a non-bailable warrant of arrest has been issued against these petitioners.

Considering the nature of accusation and the fact that there is no likelihood of the petitioners fleeing from the course of trial, this application is allowed.

Let the petitioners, abovenamed, in the event of their arrest/ surrender before the court below within six weeks from today, be released on bail 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 Bodh Gaya P.S.Case No. 152/2014 (G.R.No. 2267/2014), subject to the conditions as laid down under section 438(2) of the Cr.P.C.

This is subject to the condition that the petitioners shall present themselves before the police/ court, as the case may be, as and when required and in the event of failure on their part to appear before the court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Surendra/-

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