

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.16294 of 2017**

Arising Out of PS.Case No. -367 Year- 2016 Thana -CHAPRA TOWN District- SARAN

- =====
1. Sonu Kumar Son of Late Vishwanath Sah, Resident of Mohalla- Bhagwan Bazar Chowk, P.O.- Bhagwan Bazar, P.S.- Bhagwan Bazar, District- Chapra.
  2. Dinesh Gupta Son of Late Bhola Prasad, Resident of Mohalla- Bhagwan Bazar Chowk, P.O.- Bhagwan Bazar, P.S.- Bhagwan Bazar, District- Chapra.
  3. Rituraj Kumar, Son of Surendra Prasad, Resident of Mohalla- Bhagwan Bazar Chowk, P.O.- Bhagwan Bazar, P.S.- Bhagwan Bazar, District- Chapra.
  4. Rajan Kumar, Son of Mathura Prasad, Resident of Mohalla- Kashi Bazar, P.O.- Bhagwan Bazar, P.S.- Bhagwan Bazar, District- Chapra.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance:**

For the Petitioner/s : Mr. Rajesh Kumar Verma and  
Mr. Shanshank Chandra, Advocates.

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

3      15-06-2017                      Heard Sri Rajesh Kumar Verma, learned counsel for  
the petitioners, and Sri Anand Mohan Prasad Mehta,      learned  
A.P.P. for the State.

The petitioners in the present case are apprehending  
their arrest in Town P.S. Case No. 367 of 2016 registered under  
Sections 188, 147, 148, 149, 295(A), 307, 332, 333, 353, 436, 379,  
153(A), 120(B) and 427 of the Indian Penal Code and Prevention  
of Damages to Public Property Act, 194 and Sections 3, 4 and 3 /  
4 of the Public Property Defacement Act.

Learned counsel for the petitioners would submit that



a bare perusal of the First Information Report would show that the allegations against these petitioners are completely vague and they are said to have been identified by spies and local persons but, in course of investigation, no evidence has come against them. Learned counsel further refers to Annexure 2 which is an order passed by a co-ordinate bench of this Court in Cr. Misc. No. 41509/2016 granting anticipatory bail to a co-accused Kanhaiya Kumar.

Learned A.P.P. though opposed the prayer for anticipatory bail, however, nothing could be pointed out to substantiate the allegations made against the petitioners.

In the facts and circumstances stated here-in-above and considering the nature of allegations and that the petitioners have no criminal antecedent as stated in Paragraph 3 and one of the co-accused has been granted the privilege of anticipatory bail, let the petitioners, namely, Sonu Kumar, Dinesh Gupta, Rituraj Kumar and Rajan Kumar, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Chapra, District Saran in connection with Town P.S. Case No. 367 of



2016, subject to the conditions under Section 438(2) of the Code of Criminal Procedure.

**(Rajeev Ranjan Prasad, J)**

Dilip, AR

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