

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40097 of 2017

Arising Out of PS.Case No. -75 Year- 2017 Thana -PATNA CITY CHOWK District- PATNA

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1. Raghunandan Prasad son of Late Gopi Nath
 2. Satish Kumar son of Sri Raghunandan Prasad both residents of Mohalla - Nehru Tola near Jharnadal, P.S. Chauk at and District Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhola Kumar

For the Opposite Party/s : Mr. Dr. Indivar Kumari

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 04-09-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Chowk (Patna City) P.S. Case No. 75 of 2017 instituted for the offence under Sections-354B, 379 & other minor Sections of the Indian Penal Code.

The petitioners are father-in-law and Bhainsur of the informant. They are alleged to have committed theft of chain and, torned the Sari and blouse of the informant and attempted to outrage her modesty.

Counsel for petitioners has submitted that the case has been filed just to harass both of them due to property dispute. The elder son (husband of the informant) of petitioner No. 1, wants to grab the house and land, for which, petitioner No. 1 has got instituted case bearing Chowk P.S. Case No. 129 of 2017 which is pending in the court of learned Additional Chief Judicial Magistrate, Patna City.



In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners named above in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of 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 in connection with in Chowk (Patna City) P.S. Case No. 75 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate-II, Patna City subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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