

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62366 of 2017

Arising Out of PS.Case No. -47 Year- 2015 Thana -AGAMKUAN District- PATNA

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1. Deepak Kumar, son of late Narayan Prasad
2. Sanjeev Kumar, son of late Narayan Prasad
Both resident of Mohalla Diwan Mohalla, Patoki Bag, Gwal Toli, P.S.
Khajekala, Distt. Patna.

.... Petitioner/s

Versus

1. The State of Bihar
2. Sudhir Prasad Singh, son of late Ram Ashlok Singh, resident of Mohalla
I.O.C. Colony, P.S. Agamkuan, Distt. Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate.

For the Opposite Party/s : Mr. Rajendra Prasad Nat, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 20-12-2017 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in **Agamkuan**
P.S. Case No. 47 of 2015 (G.R. No. 373 of 2015) instituted for
the offence under Section 420 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that
the entire money has been received by co-accused Lilawati Devi
and Prabhat Kumar and the sale deed was to be executed by
Lilawati Devi and her son Prabhat Kumar who refused to execute
the sale deed. These petitioners are said to be the step brother of
Prabhat Kumar.

From the complaint petition it appears that there is no



specific allegation of overt act against these petitioners.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Agamkuan P.S. Case No. 47 of 2015 (G.R. No. 373 of 2015)**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of **learned Additional Chief Judicial Magistrate, Patna City**, subject to the conditions as laid down under Section 438 (2) 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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