

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12181 of 2017

Arising Out of PS.Case No. -196 Year- 2016 Thana -RAJIVNAGAR District- PATNA

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1. Kiran @ Kiran Devi, wife of Banarshi @ Pappu Banarshi,
 2. Bhagmani Devi, wife of Ram Dayal Yadav, &
 3. Pappu Banarashi @ Banarashi son of Lakhan Chaurasia, all resident of Mohalla-Chandra Vihar Colony, Nepali Nagar, Ashiyana, P.S.-Rajiv Nagar, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 13-04-2017

Heard learned counsel for the Petitioners and the State.

The Petitioners apprehend their arrest in Rajiv Nagar P.S. Case No.196 of 2016 instituted for the offence under Section(s) 420, 467, 468, 471 and other allied Sections of Indian Penal Code and Section 3 of the Public Property Damage Act.

There is allegation in the written report that when the informant, who is Executive Engineer of Bihar State Housing Board, along with police party raised objection for construction work on the land allegedly of Bihar State Housing Boarding, the petitioner along with 40-50 persons started protest and also misbehaved with the informant and the police party.



From the allegation in the written report itself, it appears that there is general and omnibus allegation against the petitioners. It is mentioned in para 3 that the petitioners have no criminal antecedents.

There is separate provision under law available to the informant with regard to illegal construction done in the land of the Housing Board.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Rajiv Nagar P.S. Case No.196 of 2016, they shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, 1st class, Patna, 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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