

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.22702 of 2017

Arising Out of PS.Case No. -66 Year- 2013 Thana -RAJIVNAGAR District- PATNA

Sanjay Kumar Son of late Lok Nath Rai Resident of Mohalla- Yadubanshi
Nagar, Police Station- Digha, District- Patna..... Petitioner

Versus

1. The State of Bihar.

2. The Bihar State Housing Board, Patna Division- Camp Rajiv Nagar, P.S.
Rajiv Nagar, District Patna.

.... Opposite Parties

Appearance :

For the Petitioner/s : Mr. Parashuram Singh

For the Opposite Party/s : Mr. Smt. Anita Kumari Singh

For O. P.No. 2 :- Mr. Birendra Kumar Rai

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 06-07-2017 Heard learned counsel for the petitioner and learned
APP representing the State.

Petitioner apprehends his arrest in connection with Rajiv
Nagar P.S. Case No. 66 of 2013 registered for the offences
punishable under Sections 447, 406, 420/34 of the Indian Penal
Code.

Allegedly, the petitioner and other co-accused were
making illegal construction over the land of Bihar State Housing
Board.

Submission is of false implication and that the petitioner
has nothing to do with the encroachment, he is not the resident of
that locality and similarly situated co-accused Arbind Kumar has
been allowed pre-arrest bail vide Cr. Misc. No. 8811 of 2017 and



as such the petitioner deserves sympathetic consideration.

Learned APP and learned counsel for the O. P. No. 2 oppose the prayer of pre-arrest bail by submitting that the petitioner and others are engaged in making illegal construction and in this case prayer of pre-arrest bail of Rambishun Singh and Dhirendra Kumar Singh have already been rejected.

In the facts and circumstances stated above, considering that there is no specific allegation against the petitioner, one of the co-accused Arbind Singh has been allowed pre-arrest bail, the petitioner above named, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order, shall be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Patna in connection with Rajiv Nagar P.S. Case No. 66 of 2013, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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