

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14496 of 2017

Arising Out of PS.Case No. -240 Year- 2016 Thana -PATNA CITY CHOWK District- PATNA

- =====
1. Sunita Devi, wife of Sri Kamlesh Mishra
 2. Kamlesh Mishra @ Kamlesh Kumar Jha, son of late Rabindra Mishra
 3. Nitish Mishra, son of Sri Kamlesh Mishra, all resident of mohalla Chah kalyan P.S. Chowk, District-Patna Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Narayan Prasad

For the Opposite Party/s : Mr. Sir Pramod Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 28-03-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Chowk P.S. Case No. 240 of 2016 instituted for the offence under sections 147, 148, 149, 188, 342, 332, 336, 338, 427, 307, 295 (A) 356 of the Indian Penal Code.

It has been alleged in the written report that on the date of occurrence while the informant along with other officers were trying to get encroachment removed, the Pujari of Temple, namely, Kamlesh Mishra and other named accused persons objected and attacked on the prosecution party by throwing stones, chips rod etc. The police also used force to save the government property.

It is mentioned in para-3 that the petitioners have no



criminal antecedent

From written report there is general and omnibus allegation against these petitioners. In aforesaid circumstances, the 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 Chowk P.S. Case No. 240 of 2016, 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 Sri Sushant Ranjan, J.M., 1st Class, 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 reasons, 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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