

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49630 of 2018

Arising Out of PS.Case No. -536 Year- 2017 Thana -GANDHIMAIDAN District- PATNA

=====

1. Rama Shankar Prasad, S/o Late Rameshwar Prasad,
2. Rupesh Kumar @ Pappu, S/o Rama Sankar Prasad,
3. Sachit Ranjan Kumar @ Ranjan Kumar @ Sachit Ranjan, S/o Late Sadhu Saran Prasad,

All Residents of 207, Surya Vihar Apartment, Exhibition Road, P.S.- Gandhi Maidan, Patna-800001.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Satyabir Bharti, Advocate.

For the Opposite Party/s : Mr. Satyadev Prasad Singh Yadav, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 05-09-2018 Heard learned counsel for the petitioners and the State.

Application for anticipatory bail of the petitioners was earlier dismissed as not pressed vide order dated 20.06.2018 passed in Cr. Misc. 18282 of 2018 (Annexure-1).

Counsel for the petitioners submits that petitioners were tenants of the flat originally belonging to Krishna Mohan Prasad. Petitioners were regularly paying rent to Rajesh Kumar who is son of Krishna Mohan Prasad. Later on, the Income Tax Department directed the petitioner No. 1 to deposit rent in the Income Tax Department.

In the written report it is alleged by the informant that



he was the tenant in the aforesaid premises for last three months and on the date of occurrence at 12.00 noon, when he came to open his office, he found the lock opened and various articles were thrown out from the office. He learnt the petitioners and other accused persons have committed the aforesaid occurrence.

From the written report it appears that there is general and omnibus allegation against the petitioners. Mere suspicion is levelled against the petitioner.

It is mentioned in paragraph-3 of the bail petition that petitioners have no criminal antecedent.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Gandhi Maidan P.S. Case No. 536 of 2017**, 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-XVII, 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 his absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bonds 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.

S.Ali/-

(Sanjay Priya, J)

U		T	
---	--	---	--

