

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4038 of 2019

Arising Out of PS. Case No.-220 Year-2018 Thana- SHRIKRISHNAPURI District- Patna

Pappu Yadav @ Awadhesh Kumar aged about 46 years, Male, son of Late Shiv Mahadeo Ray, Resident of -Dujra, Police Station- Budha Colony, District- Patna.

... .. Petitioner

Versus

The State of Bihar .

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate Mr.Sanjeet Kumar, Advocate Ms. Preety Kunwar, Advocate
For the Opposite Party/s	:	Ms. Reena Sinha A.P.P.
For the Informant	:	Mr. Shashank Shekhar Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 04-02-2019 Heard learned senior counsel for the petitioner and learned Additional Public Prosecutor for the State as well as learned counsel for the informant.

The petitioner is seeking anticipatory bail in connection with Shrikrishnapuri P.S. Case No. 220/2018, G.R. No. 5574/2018 registered under Sections 341, 323, 447, 379, 387/34 of the Indian Penal Code.

Learned senior counsel representing the petitioner submits that it is an admitted position that pursuant to a decree of the court, delivery of possession of the property in question has been given to the Managing Director of the M/s Princeton Niketan Pvt. Ltd. It is submitted that the allegation that on 22.08.2018, this petitioner along with 10-12 male and 20-25



female entered in the plot and damaged the properties of the decree holder and took away the properties of the decree holder amounting to Rs. 50-60 thousand are not correct.

Learned senior counsel submits that these allegations have been purposely made just to harass the petitioner.

On the other hand, learned counsel for the informant submits that the informant has no reason as to why he would indulge in act of harassment against the petitioner particularly when the informant has already got possession of the property in question. Learned counsel submits that the petitioner is indulged in illegal acts and is harassing the informant.

No Additional Public Prosecutor for the State is present.

Having heard learned counsel for the parties, considering the nature of allegations, this court is willing to grant the privilege of anticipatory bail to the petitioner but subject to condition that in case he is found involved again in similar kind of act, the informant will have liberty to file an appropriate application for cancellation of bail. For the present, in the event of his arrest/surrender before the court below within a period of four weeks, let the above-named petitioner be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees



Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. Cum Special Judge, C.B.I. - 1, Patna, in connection with Shrikrishnapuri P.S. Case No. 220/2018, G.R. No. 5574/2018, subject to condition that petitioner shall join investigation by reporting to the Investigating Officer within a period of two weeks from today and shall cooperate in course of investigation, failing which the Investigating Officer shall be at liberty to take steps for cancellation of bail. This will be in addition to condition prescribed under Section 438(2) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J)

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