

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16884 of 2019**

Arising Out of PS. Case No.-361 Year-2015 Thana- HILSA District-
Nalanda

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Raj Kishore Prasad aged about 55 years, male,(Director of Nav Nalanda School, Hilsa) Son of Late Prasadi Singh, Resident of Vidyapuri, P.S.- Hilsa, District - Nalanda

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Anil Kumar Singh, Advocate.

For the Opposite Party: Mr. J.K. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 26-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 147, 148, 149, 323, 337, 353, 427, 283, 332, 307/504 of the Indian Penal Code, Section 34 of Damage of Public Property Act and Section 151 of the Railway Act, 1989 registered in connection with Hilsa P.S. Case No. 361 of 2015.

3. It is submitted that the petitioner has been falsely implicated in connection with a mob of about 300-400 persons said to have blocked the road pursuant to death of one Devendra Prasad, Director of D.P.S. School, Hilsa and thereafter pelted stone upon the police personnel on the alleged date of occurrence. Similarly situated Upendra Singh @ Upendra Kumar and Sanjay Kumar Yadav @ Sanjay Kumar Verma have been granted anticipatory bail by this Court in Cr. Misc. No. 60383 of 2018. The petitioner claims clean antecedents.

4. Be that as it may, in the event of the petitioner's



arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Hilsa, Nalanda in connection with Hilsa P.S. Case No. 361 of 2015, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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