

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67015 of 2018

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

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Sanjay Kumar Prabhakar (Director of Gurukul School) Son of Janki Prasad Resident of Village-Bisai Bigha, Police Station Aungari, Distt.-Nalanda, at present resident of Jogipur Road, Hilsa, Police Station-Hilsa, Distt.-Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s: Mr. Anil Kumar Singh, Advsc

For the Opposite Party/s : Mr. Binod Kumar 2

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 04-01-2019 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 IPC and Section 3 and 4 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. Having regard to the entirety of the facts and circumstances, as such, 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 co-operate 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) 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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