

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77130 of 2018

Arising Out of PS. Case No.-310 Year-2018 Thana- GANDHIMAIDAN District- Patna

Sanjeev Kumar Son of Late Anil Kumar Srivastava, Resident of 304/A, Jeet Enclave, Shivpuri, P.O. and P.S. Shastri Nagar, Town and District Patna, Director, M/s Adam Media and Recreation Private Limited, having its Corporate Office at 202, Atul Bilas Kunj, Kidwaipuri, Patna-800001.

... .. Petitioner

Versus

1. The State Of Bihar.
2. Patna Municipal Corporation, Maurya Lok Complex, Patna, through its Municipal Commissioner.

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr.Suraj Samdarshi, Advocate
For the State	:	APP
For Informant (PMC)	:	Mr. Bindhyachal Singh, Mr. Satya Prakash, Advocates

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 16-01-2019 Heard learned counsel for the petitioner, learned APP for the State as well as learned counsel for the opposite party-Patna Municipal Corporation.

2. The petitioner apprehends his arrest for the offences alleged under Sections 353 and 506/34 of the Indian Penal Code registered in connection with Gandhi Maidan P.S. Case No. 310 of 2018.

3. It is submitted that the petitioner has been falsely implicated and as a matter of fact, he merely requested the authorities to show the order under which the petitioner's hoarding was sought to be removed. It is submitted that the petitioner in any way have not obstructed the authorities in discharge of their duties. The petitioner claims clean antecedents.

4. Learned counsel for the opposite party-Patna Municipal Corporation vehemently opposes the anticipatory bail petition submitting that the petitioner along with 15-20 persons obstructed the



officials of the Corporation in giving effect to the ongoing anti-encroachment drive.

5. 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 Chief Judicial Magistrate, Patna, in connection with Gandhi Maidan P.S. Case No. 310 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and with 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 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.

(iv) 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.

(Vikash Jain, J)

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