

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36929 of 2019

Arising Out of PS. Case No.-98 Year-2019 Thana- RUPASPUR District- Patna

SURAJ KUMAR @ SURAJ KUMAR TIWARY S/o Sidhnath Tiwary
Resident of Rupaspur, Bhattapar, Sangam Bihar Colony, P.S.- Rupaspur,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gyan Prakash Mr. Rajeev Kumar
For the State	:	Mr. Arun Kumar Pandey, APP
For the Informant	:	Mr. Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 19-06-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Rupaspur P.S. Case No. 98 of 2019, disclosing offences under Sections 341, 323, 379, 427, 395 and 147 of the Indian Penal Code.

The occurrence is said to have taken place at 6.00 P.M. on 26.02.2019. The petitioner had allegedly pushed the scooty of the informant's sister to the ground, which was parked outside the informant's house. It is alleged that thereafter, at the instigation of this petitioner, other co-accused persons entered into the house of the informant and, at the point of pistol, valuables were taken away. It is further alleged against



the petitioner that he snatched the informant's golden chain.

Learned counsel for the petitioner has submitted that the petitioner is the neighbour of the informant and he has been implicated because of some trivial local dispute between them. It has also been argued that there is long-pending dispute between the informant's family and the petitioner over a passage.

Learned counsel for the informant has opposed the prayer for anticipatory bail and has submitted that considering the seriousness of the offence, the petitioner does not deserve anticipatory bail.

However, considering the facts and circumstances of the case, genesis of occurrence, coupled with the nature of allegation made in the FIR and the fact that the petitioner has no criminal antecedent, this application is allowed. Let the petitioner, above named, in the event of his arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each, to the satisfaction of the learned ACJM-II, Danapur in connection with Rupaspur P.S. Case No. 98 of 2019(G.R.No.659 of 2019), subject to the condition as laid down under Section 438 (2) of the Code of



Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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