

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43327 of 2019

Arising Out of PS. Case No.-299 Year-2019 Thana- SASARAM NAGAR District- Rohtas

1. Vivek Kumar Singh @ Kumar Vivek Son of Baijnath Singh @ B.N. Singh, Resident of Mohalla - Gopalganj, Ward No.7, P.S.- Sasaram, District- Rohtas.
2. Baijnath Singh @ B.N. Singh Son of Muni Singh, Resident of Mohalla - Gopalganj, Ward No.7, P.S.- Sasaram, District- Rohtas.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rakesh Singh, Advocate
For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

10 24-09-2019 Heard learned Senior Counsel for the petitioners and learned counsel representing the informant as well as learned A.P.P. for the State.

Petitioners in the present case are seeking anticipatory bail in connection with Sasaram (Town) P.S. Case No. 299 of 2019 registered for the offences punishable under Sections 385, 387 and 504 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners have falsely been implicated in the present case. He further submits that the informant was tenant in the house of the petitioners and there was also the transaction of money between them for business purpose. He also submits that in order to grab



the money of the petitioners by the informant and also there is a civil litigation pending between the parties, the present case has been lodged.

Considering the facts and circumstances of this case, wherein it is not in dispute that the informant happened to be a tenant in the house of these petitioners, he had executed a sale deed in respect of a piece of land in favour of petitioner no. 2 and in respect of the same a title suit has been instituted by son of the informant as also the submission that it is a case of false implication arising out of the said dispute, let the petitioners abovenamed in the event of their arrest or surrender within a period of four weeks from today be enlarged on bail on furnishing bail bonds of Rs. 15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Sasaram (Town) P.S. Case No. 299 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or



indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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