

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.957 of 2019

Arising Out of PS. Case No.-290 Year-2009 Thana- KOTWALI District- Patna

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Jitendra Kumar Yadav, aged about 25 years, son of Tileshwar Yadav, resident of village - Kala Diyar, P.S – Bakhtiyarpur, Dist.-Patna, at present Dudh Market, P.S-Kotwali, Dist.-Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dhaneshwar Prasad Gupta

For the Opposite Party/s : Mr. M.K. Nirala, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL ORDER

2 11-01-2019 Heard learned counsel for the petitioner and

learned counsel for the State.

In this case, the petitioner is seeking anticipatory bail in connection with Kotwali P.S. Case No. 290 of 2009, registered for the offence under Section 384 of the Indian Penal Code.

It has been alleged that the petitioner is a contractor of Hem Plaza Parking stand. Allegation has been made that he is charging higher amount for the parking place than the amount fixed by the Patna Municipal Corporation.

Learned counsel for the petitioner submits that the petitioner may be charging higher amount, but it cannot be a case of under Section 384 of the Indian Penal code.

Learned counsel for the petitioner undertakes that the



petitioner will charge the amount as has been fixed by the Patna Municipal Corporation.

Looking to the aforesaid facts, let the petitioner, namely, Jitendra Kumar Yadav, be released on anticipatory bail in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Patna, in connection with Kotwali P.S. Case no. 290 of 2009, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

This Court directs the Kotwali Police Station to ensure that the present petitioner should charge the amount for parking place as has been fixed by the Patna Municipal Corporation from tomorrow. If it is found that the petitioner is charging higher amount for parking place than to the amount fixed by the Patna Municipal Corporation, in such circumstance, the benefit of bail granted to the petitioner will be treated to have been withdrawn.

(Shivaji Pandey, J)

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