

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74427 of 2019

Arising Out of PS. Case No.-293 Year-2019 Thana- RAJGIR District- Nalanda

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1. RAJU KUMAR @ TINKU Son of Ram Naresh Prasad Resident of Village- Nahub, P.S.- Rajgir, District- Nalanda.
 2. Vivek Kumar @ Karu Son of Umesh Prasad Resident of Village- Nahub, P.S.- Rajgir, District- Nalanda.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Ajay Kumar Thakur, Advocate Mr. Pravin Kukmar, Advocate
For the Opposite Party/s :		Mr.Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 29-11-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners in the present case are seeking anticipatory bail in connection with Rajgir P.S. Case No. 293 of 2019 registered for the offences punishable under Sections 420, 406, 467, 468, 471, 120(B) of the Indian Penal Code.

Learned counsel for the petitioners submits that as per the prosecution, the petitioners have neither negotiated the alleged sale nor they have received any consideration amount. It is further submitted that the name of the petitioners were allegedly manufactured through the mouth of one Ramanandan Prasad and they have no concern with the alleged transaction.

Learned APP has opposed the prayer of anticipatory



bail of the petitioners.

Considering the facts and circumstances of the case where there is no specific allegation at all against Raju Kumar @ Tinku (petitioner no. 1), let the petitioner no. 1 above named in case of his arrest or surrender within a period of four weeks from today in connection with Rajgir P.S. Case No. 293 of 2019 be released on bail on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Biharsharif, subject to the conditions 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.

So far as petitioner no. 2 is concerned, it is alleged



that he has been involved in cheating several other persons including the present informant and in course of hearing learned counsel for the petitioners has submitted that presently petitioner no. 2 has four cases on his head, though in paragraph '3' details of those cases are not provided, because of fair submission at the Bar in the beginning itself, this Court has not taken any action against him for not disclosing the complete antecedent.

Prayer for anticipatory bail of petitioner no. 2 is, thus, refused.

In case petitioner no. 2 surrenders and prays for regular bail within four weeks from today before the learned court below, his prayer for regular bail shall be considered on its own merit without being prejudiced by the present order.

(Rajeev Ranjan Prasad, J)

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