

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7374 of 2020**

Arising Out of PS. Case No.-585 Year-2017 Thana- KADAMKUAN District- Patna

1. Yugal Kishore Sharma, Son of Late Dhanraj Sharma, R/o Arya Kumar Road, P.S.- Kadamkuan in the district of Patna.
2. Rajesh Kishore Sharma, S/o Yugal Kishor Sharma, R/o Arya Kumar Road, P.S.- Kadamkuan in the district of Patna.
3. Brajesh Kishore Sharma, S/o Yugal Kishor Sharma, R/o Arya Kumar Road, P.S.- Kadamkuan in the district of Patna.
4. Rupesh Kishore Sharma, S/o Yugal Kishor Sharma, R/o Arya Kumar Road, P.S.- Kadamkuan in the district of Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate  
For the Opposite Party/s : Mr.Satyavrat Verma, APP

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

3      03-07-2020                      Since as of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through video conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings from their homes, all with the aid of audio visual technology.

Heard learned counsel for the petitioners and the learned APP for the State.

The petitioners are apprehending their arrest in



connection with Kadamkuan P.S. Case No.585 of 2017 registered for the offence punishable under Sections 406, 420, and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the F.I.R. discloses primarily a civil dispute, for which the informant has resorted to the criminal proceedings only as a pressure tactics.

Learned APP for the State has opposed the prayer for pre-arrest bail submitting that specific allegation has been made in the F.I.R.

Considering the rival submissions, this Court is inclined to allow the petitioners' prayer for anticipatory bail.

Accordingly, let all the four petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-VII, Patna, in connection with Kadamkuan P.S. Case No.585 of 2017, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure as also subject to the following conditions:

- (i) That one of the bailors of each of the petitioners will be a close relative of the



petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners concerned. The bailors will also undertake to inform the court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bonds will be liable to be cancelled.

**(Madhuresh Prasad, J)**

PNM

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