

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26976 of 2020

Arising Out of PS. Case No.-466 Year-2019 Thana- DANAPUR District- Patna

1. Braj Kishor Prasad Son of Punit Lall Resident of Tari Godam, Bibiganj Ke Pass, P.S. - Danapur, District - Patna.
2. Anuj Kumar @ Anuj Kishore Son of Braj Kishor Prasad Resident of Tari Godam, Bibiganj Ke Pass, P.S. - Danapur, District - Patna.
3. Atul Kumar @ Atul Kishore Son of Braj Kishor Prasad Resident of Tari Godam, Bibiganj Ke Pass, P.S. - Danapur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarvan Kumar, Adv.
For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 19-01-2021 Heard learned counsel for the petitioners and learned APP
for the State.

Learned counsel for the petitioners is expected to honor his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon.

Petitioners apprehend their arrest in connection with Danapur PS Case No 466 of 2019 instituted for the offence under Section(s) 302, 201/34 of the Indian Penal Code.

The petitioners and several other persons have allegedly harassed the deceased for demand of money who has committed



suicide based on such mental agony and stress.

Petitioners' counsel submits that, in fact, the Court of Sub Judge- V, Danapur had given a direction to deposit balance amount of Rs. 30,50,000/- and registration cost against the deceased. The order which has been relied upon clearly specifies that the petitioners have availed legal remedy and therefore on this account they have been dragged into this case merely on the basis of suspicion. The petitioners have also been made an accused by the same prosecution party in another case being Danapur PS Case No 304 of 2013 in which they are already on bail.

The learned APP for the State has opposed the prayer for anticipatory bail.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, before the court below, within four (04) weeks from today, they shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-1st, Danapur, Dist. Patna, in connection with Danapur PS Case No 466 of 2019 subject to the conditions as



laid down under Section 438(2) Cr. P.C. subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor 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 bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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