

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17313 of 2015

Arising Out of PS.Case No. -80 Year- 2014 Thana -KORHA District- KATIHAR

Md. Kaushar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.17594 of 2015

Arising Out of PS.Case No. -80 Year- 2014 Thana -KORHA District- KATIHAR

Md. Monu

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.17313 of 2015)

For the Petitioner/s : Mr. Sanjeev Kumar Singh-Advocate

For the Opposite Party/s : Mr. Narsing Tanti (A.P.P.)

(In Cr.Misc. No.17594 of 2015)

For the Petitioner/s : Mr. Rajendra Prasad Sah-Advocate

For the Opposite Party/s : Mr. Dashrath Mehta (A.P.P.)

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

04 22-06-2015 Criminal Miscellaneous No.17313 of 2015 wherein Md. Kaushar is the petitioner and Criminal Miscellaneous No.17594 of 2015 wherein Md. Monu is the petitioner, commonly originate out of Korha P. S. Case no.80 of 2014, on account thereof, both have been heard together and are being disposed of by a common order.

Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor.

Informant along with his employee while was proceeding over a motorcycle carrying Rs.20,00,000/- (Twenty lacs) was intercepted by armed miscreants, who shot at causing firearm injury to the informant and decamped

with the aforesaid amount appertaining to Rs.20,00,000/-.

Gone through the case diary, nothing substantial has been collected by the I.O. during course of investigation. From the order impugned, it is evident that learned lower Court had shown probability of conduction of T.I. Parade. However, the carbon copy of case diary does not justify. Moreover, on that very basis, petitioner cannot be allowed to be detained furthermore.

Accordingly, both the petitioners namely **Md. Kaushar** as well as **Md. Monu** each are directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Katihar in connection with Korha P. S. Case no. 80 of 2014, with a condition that both the petitioners will give an undertaking to the effect that whenever, wherever the prosecution needs their presence for conduction of T.I. Parade, they will have their presence, failing which the privilege, so granted, will automatically cease.

(Aditya Kumar Trivedi, J)

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