

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32009 of 2015

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

1. Md. Zafar Son of Sk. Usman Resident of Village- Boulia, Gumti, Police Station-
Manihari, District Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.48527 of 2015

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

1. Md. Sheru @ Umar Faruque Son of Md. Emam resident of village - Narayanpur, P.S.
Manihari, District - Katihar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :
(In Cr.Misc. No.32009 of 2015)
For the Petitioner/s : Mr. Bimal Kumar
For the Opposite Party/s : Mr. Sangita Sharma(App)
(In Cr.Misc. No.48527 of 2015)
For the Petitioner/s : Mr. Mukesh Kumar Jha
For the Opposite Party/s : Mr. M.K.Khare(App)

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

4 05-11-2015 Both the Cri. Misc. have arisen out of same P.S. Case

and as such have been heard together and are being disposed of by

this common order.

Heard learned counsel for the petitioners and learned
A.P.P. representing the State.

Petitioners seek bail in connection with Korha P.S.
Case No. 80 of 2014 registered for the offences punishable under

Sections 395 and 397 of the Indian Penal Code.

Allegedly when the informant alongwith his employee riding a motorcycle and carrying Rs. 20 lac was going, six unknown miscreants intercepted them, assaulted the informant and decamped with the aforesaid amount amounting to Rs. twenty lac.

Submission is of false implication and that the petitioners are not named in the F.I.R. and nothing has been recovered from their possession. They have not been put on T.I.P. and similarly situated co-accused Md. Kaushar and Md. Monu have been allowed bail by another co-ordinate Bench of this Court vide order dated 22.06.2015 passed in Criminal Misc. No. 17313 of 2015 and, as such, the petitioners also deserve sympathetic consideration to which the learned A.P.P. is not in a position to distinguish the case of the petitioners from that co-accused.

In the facts and circumstances stated above, the petitioners, above named, are directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Learned C.J.M., Katihar arising out of Korha P.S. Case No. 80 of 2014 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the

petitioners will remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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