

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.16181 of 2015

Arising Out of PS.Case No. -156 Year- 2005 Thana -PANDAU District- MADHUBANI

1. Allauddin
2. Salauddin Both son of Late Idrish Nadaf, Resident of Village- Sima, P.S.- Sakri, District- Madhubani

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mohammad Sufyan

For the Opposite Party/s : Mr. Smt. Anita Kumari (App)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 12-08-2015 Heard learned counsel for the petitioners and learned A.P.P. for the State .

The petitioner is languishing in custody since 12.11.2014 in connection with Pandaul (Sakri) P. S .Case No. 156/2005 corresponding to G.R. No. 1598/2005, Sessions Trial No. 18/2015 registered for the offences punishable under Sections 216A/400 of the Indian Penal Code.

The prosecution case as per written report of informant, Ramesh Chandra Upadhyaya, Officer Incharge, Sakari Camp, Seema is that on 1.10.2005 at 1.45 A.M., he received an information regarding dacoity in the house of Md. Gulab at Mokarampur. He along with other police officials and persons



reached at village – Mokarampur and in course of searching the criminals and for the purpose of raid, following the blood stained on the ground, the informant reached at village –Seema, near the house of Idrish Nadaf and found the blood in the open space in front of the house of Idrish Nadaf and he found one plastic bag containing 5 slippers, one handkerchief with blood stained and also having knife. One woman was sitting on the Varandah of the house, who disclosed her name Ashama Khatoon. The aforesaid articles were seized by the informant and prepared seizure list, thereafter he found injured dacoit in the house of a lady with a Nokiya Mobile phone. Injured person told his name Md. Sahid as he informed that 11 persons gathered at the house of Aasman Khatoon thereafter, went to village Mokarampur for committing dacoity and during course of dacoity, bomb was blasted and he became injured. It is also stated in the written report that villagers said that Idrish Nadaf and his family members hide the criminals and send them to commit dacoity.

Learned counsel for the petitioner submits that they are innocent, having no criminal antecedent and have no connection with the alleged occurrence. It has further been submitted that they were not present in the house on the alleged date of occurrence and petitioners were living in Hyderabad to earn their livelihood.

Considering the aforesaid facts, let the petitioners, namely, Allauddin and Salauddin, both sons of late Idrish Nadaf 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 learned III Additional Sessions Judge, Madhubani in connection with S.T. No. 18/2015 arising out of Pandaul (Sakri) P.S.Case No. 156/2005.

(Nilu Agrawal, J)

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