

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40457 of 2015

Arising Out of PS.Case No. -68 Year- 2015 Thana -PATAHI District-
EASTCHAMPARAN(MOTIHARI)

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1. Saiyad Heyat @ Bablu Son of Shekhawat Hussain, Resident of Village -
Mahuliya, Police Station - Sonbarsa, District - Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar

For the Opposite Party/s : Mr. Chandra Bhushan Prasad(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 30-11-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Patahi P.S.
Case No. 68 of 2015 registered for the offences punishable under
Sections 363, 366A/34 of the Indian Penal Code.

The petitioner is not named in the FIR but during
investigation he was apprehended as he was absconding after the
occurrence, thereafter, he confessed his guilt.

Submission is of false implication and that besides the
confessional statement, there is no other legal material against the
petitioner, there was love affairs between the informant's daughter
and co-accused Sona Mian @ Md. Azharuddin Mansuri and both
have solemnized marriage on 06.05.2015 before the Muslim
Marriage and Divorce Registrar, North Eastern Emarate-E-

Shariah, Nagaon, Assam vide annexure-2. The petitioner is in custody since 28.05.2015 and in this case chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence.

Learned APP after going through the case diary fairly submits that the petitioner is not named in the FIR and besides the confessional statement there is no other tangible material.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Sikrhana, East Champaran at Motihari in connection with Patahi P.S. Case No. 68 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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