

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48702 of 2014

Arising Out of PS.Case No. -340 Year- 2014 Thana -ARARIA District- ARRARIA

Nazmul @ Dilawar son of Md. Ali resident of mohalla - Jahangir Tola,
Police Station - Araria, District - Araria

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

with

Criminal Miscellaneous No.49404 of 2014

Arising Out of PS.Case No. -340 Year- 2014 Thana -ARARIA District- ARRARIA

Md. Iliyas Son of Late Alimuddin Resident of Village - Chandardai, Police
Station - Araria R.S. District - Araria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

with

Criminal Miscellaneous No.759 of 2015

Arising Out of PS.Case No. -null Year- null Thana -null District- ARRARIA

Ramesh Thakur Son of Awadesh Thakur Resident of Village-
Rahatmeena,P.S-Kursakanta,Distt.-Araria

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

(In Cr.Misc. No.48702 of 2014)

For the Petitioner : Mr. Mukesh Kumar Rana

For the State : Mrs. Indu Bala Pandey APP

(In Cr.Misc. No.49404 of 2014)

For the Petitioner : Mr. Md. Naushad Uzzoha

For the State : Mrs. Indu Bala Pandey APP

(In Cr.Misc. No.759 of 2015)

For the Petitioner : Mr. Ramesh Kumar Singh

For the State : Mrs. Indu Bala Pandey APP

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

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04-03-2015

Heard learned counsel for the petitioners and the State.

The petitioners seek bail in a case registered for offences punishable under Sections 395 and 397 of the Indian Penal Code.

It is the common case of the petitioners that after they were apprehended in connection with Araria P.S. Case No. 342 of 2014 in which allegedly self incriminating confessional statements of all the accused persons were recorded by the police and on the basis of such confessional statements, the petitioners have been remanded them in two other cases including Araria P.S. Case No. 340/2014. It is submitted that except the cases mentioned in paragraph 3 no other criminal cases against the petitioners are pending.

However, it is submitted that though there is alleged recovery from the house of the petitioners in connection with Araria P.S. Case No. 342 of 2014 but so far the present case is concerned there is no recovery from them. It is also submitted that neither the petitioners nor the recovered articles have been put for identification in T.I. Parade and the petitioners are in custody since 9.9.2014. It is further submitted the petitioners have already been enlarged on bail in all the other cases which

were pending against them.

Considering the facts and circumstances of the case, the petitioner, namely, Nazmul @ Dilawar of Cr.Misc. No. 48702 of 2014, petitioner Md. Iliyas of Cr. Misc. No. 49404 of 2014 and petitioner Ramesh Thakur of Cr. Misc. No. 759 of 2015 are directed to be released on bail on thier furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Araria in Araria P.S. Case No. 340/2014, 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 they are 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 bailor shall also state on affidavit that they will inform the court concerned if the petitioners are implicated in any other case of similar nature after their release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse. (iii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled

That apart, in view of the antecedents of the

petitioners, they would be required to appear before the Superintendent of Police, Araria within fifteen days of their release with a copy of this order and every two weeks thereafter for the next six months. The conduct of the petitioners will be kept under watch in the aforesaid period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioners before the court concerned which should be granted by the Superintendent of Police upon their appearance.

(Dr. Ravi Ranjan, J)

Spd/-

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