

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34411 of 2015

Arising Out of PS.Case No. -533 Year- 2014 Thana -RUNISAIDPUR District- SITAMARHI

1. Karambir Kumar @ Kavi, S/o Rajendra Sah.
2. Md. Chand, S/o Late Sirajuddin.
Both are residents of Village- Runisaidpur, Police Station- Runisaidpur,
District Sitamarhi.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

With

Criminal Miscellaneous No.39137 of 2015

Arising Out of PS.Case No. -533 Year- 2014 Thana -RUNISAIDPUR District- SITAMARHI

Md. Ashraf, S/o Late Akhtar, resident of Village- Koahi, P.S.-
Runnisaidpur, Distt- Sitamarhi.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

(In Cr.Misc. No.34411 of 2015)

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Mr. P.K.Chaurasia (App)

(In Cr.Misc. No.39137 of 2015)

For the Petitioner/s : Mr. Sunil Kumar Verma, Advocate

For the Opposite Party/s : Mr. L.K.Sharma (App)

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

3 16-10-2015 Heard learned counsel for the petitioners and the State.

Both the applications arise out of Runisaipur P.S. Case
No.533 of 2014 registered for the offences punishable under
Sections 385 and 387 of the Indian Penal Code, as such, they have
been heard together and are being disposed of by this common

order.

It is submitted on behalf of the petitioners that the First Information Report was lodged against unknown. The further statement of the informant was recorded in paragraph 4 of the case diary in which the petitioners have not been named, however, about five months, again the statement of the informant was recorded and on the basis of suspicion that the petitioners are also involved in such type of activity, their names have been taken by the informant subsequently.

Learned counsel appearing for the petitioner, namely, Md. Ashraf (Cr. Misc. No.39137/2015) has submitted that all the cases against him were lodged after 2013 and prior to that there was not a single case against the petitioner. It is further stated that in other criminal cases, he has already been granted bail.

Learned counsel appearing for the petitioners, namely, Karambir Kumar @ Kavi and Md. Chand (Cr. Misc. No.34411/2015) has also stated that in all the cases, they have been granted bail whereas Runisaidpur P.S. Case Nos. 99/1996 and 209/1996 are concerned, the judgments of acquittal have been passed in favour of the petitioners.

Having regard to the aforementioned facts and circumstances, the petitioners, namely, Karambir Kumar @ Kavi,



Md. Chand and Md. Ashraf are directed to be released on bail on their furnishing bail bonds of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Sitamarhi in Runisaidpur P.S. Case No. 533 of 2014 subject to the conditions that (i) one of the bailors must be a close relative or family member of the petitioners who shall file affidavit before the concerned court giving complete genealogy to show their relationship with them, (ii) if the petitioners are found involved in future in similar type of case then the court below would be at liberty to take steps for cancellation of their bail and, (iii) the petitioners would cooperate in the proceeding of the court below. In event of failure to appear on two consecutive dates, the court below would be at liberty to take steps for cancellation of their bail bond.

However, release order after furnishing bail bonds would be passed only after the assembly elections in the district of Sitamarhi are over.

(Dr. Ravi Ranjan, J)

V.K. Pandey/-

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