

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.11440 of 2016

Arising Out of PS.Case No. -37 Year- 2015 Thana -BARACHATTI District- GAYA

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1. Mohammad Shahid S/o Abdul Hamid resident of Village - Rargaon, P.S. Tamar, District - Ranchi..... Petitioner

Versus

1. The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shambhu Sharan Singh

For the Opposite Party/s : Mr. Arun Kr. Pandey (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 28-04-2016 Heard learned counsel for the petitioner and learned APP
for the Sate.

The petitioner seeks bail in connection with Barachatti P.S. Case No. 37 of 2015 registered for the offences punishable under Sections 392 and 364 of the Indian Penal Code.

Allegedly, Ravi Ranjan Singh, the brother of the informant, Amresh Singh cousin and Saddam @ Raja were kidnapped with Fortuner vehicle. During investigation the three victims were released and their statements have been recorded under Section 164 Cr.P.C. but Fortuner vehicle has been taken away by the miscreants.

Submission is of false implication and that during investigation name of the petitioner transpired in the confessional statement of co-accused Firoz Miyan and that Firoz Miyan has already been allowed bail vide Cr. Misc. No. 49757 of 2015, the

petitioner has got no criminal antecedent and he is suffering in custody since 22.05.2015 and he has not been put on test identification parade.

Learned APP fairly submits that co-accused Firoz Miyan has been allowed bail.

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 Sri Narendra Pal Singh, J. M. Ist Class, Sherghati, Gaya in connection with Barachatti P.S. Case No. 37 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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