

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21452 of 2016

Arising Out of PS.Case No. -202 Year- 2016 Thana -SIWAN CITY District- SIWAN

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1. Khurshid Ahmad @ Pappu S/o Wakil Ahmad Resident of Village Karimchak Khanna, P.S. Siwan Nagar, District - Saran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Advocate.
Mr. Umesh Kumar Mishra, Advocate.

For the Opposite Party/s : Mr. Nityanand (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

6 05-07-2016 Heard the learned counsel for the petitioner as well as the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences punishable under sections 399, 402, 413, 414 and 34 of the I.P.C and sections 25 (1-b) a, 26 and 35 of the Arms Act.

Allegedly, during raid the miscreants after seeing the police party started fleeing away but they were caught and from their possession arms and other incriminating articles were recovered, as per the seizure list, and co-accused Md. Ishrafil disclosed that the petitioner who is the owner of the house where they are residing succeeded in fleeing away.

Submission is of false implication and that nothing

has been recovered from possession of the petitioner, as per the version of the co-accused they are the tenant in the house of the petitioner and only with a view to grab the rent the petitioner has been implicated, the petitioner has got no criminal antecedent and without any fault he is suffering in custody since 14.03.2016.

The learned A.P.P. submits that the accused persons have assembled to commit dacoity and the name of the petitioner has transpired in the confessional statement of co-accused Md. Ishrafil.

In the facts and circumstances as stated above, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M. Siwan in Siwan Town P.S. Case No. 202 of 2016, 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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