

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49874 of 2015

Arising Out of PS.Case No. -70 Year- 1999 Thana -NARPATGANJ District- ARRARIA

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1. Ishaque Mian @ Bachcha Mian @ Bachchi Mian Son of Late Sukhai Mian Resident of Village - Hanumannagar, P.S.- Fulkaha, District- Araria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh

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

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 23-02-2016 Heard learned counsel for the petitioner and learned counsel representing the State.

Petitioner seeks bail in connection with Narpatganj (Fulkaha) P.S. Case No. 70 of 1999 registered for the offence punishable under Section 396 of the Indian Penal Code.

Allegedly, in the house of the informant dacoity was committed and the husband of the informant was also killed. During investigation the name of the petitioner transpires but he remained absconding.

Submission is of false implication and that there is no legal and cogent material against the petitioner, the witnesses during investigation have only raised suspicion against the petitioner, nothing has been recovered from possession of the

petitioner, the petitioner is co-villager of the informant but the informant has not identified him at the time of occurrence, the petitioner is in custody since 15.12.2014 but he has not been put on test identification parade as such he deserves sympathetic consideration to which learned APP opposes by submitting that this is a case of the year 1999.

In the facts and circumstances stated above, considering the period of detention, 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 4th Additional Sessions Judge, Araria in S. T. No. 228 of 2013 arising out of Narpatganj (Flkaha) P.S. Case No. 70 of 1999, 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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