

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48701 of 2015

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

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Md. Mokim, Son of Md. Mumtaz, Resident of Village- Tajpur, P.S.-
Tariyani, District- Sheohar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hari Mohan Mishra

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

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 28-01-2016

Heard learned counsel for the petitioner and learned

A.P.P. representing the State.

The petitioner seeks bail in connection with
Runnisaidpur P.S. Case No. 533 of 2014 registered for the
offences punishable under Sections 385 and 387 of the Indian
Penal Code.

The petitioner is not named in the F.I.R. and in re-
statement of the informant, the name of the petitioner transpires as
an active member of the gang and further other co-accused also
named the petitioner confessing their guilt.

Submission is of false implication and that without any
legal and cogent evidence, the petitioner is suffering in custody
since 19.05.2015, the petitioner was caught in Runnisaidpur P.S.
Case No. 68 of 2015, nothing has been recovered from conscious
possession of the petitioner. The informant in his further statement

vide para 4 of the case diary has not named the petitioner and others but after about 5 months in re-statement, the informant named the petitioner and others, other co-accused Karambir Kumar and Md. Chand have already been allowed bail vide Cri. Misc. No. 34411 of 2015 by another co-ordinate Bench of this Court and Md. Chand is alleged to be the leader of the gang and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. fairly submits that other co-accused have been allowed bail.

In the facts and circumstances stated above, the petitioner, above named, is also 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 C.J.M., Sitamarhi arising out of Runnisadipur P.S. Case No. 533 of 2014 subject to the conditions that one of the bailors must be 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)

sushma/-

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