

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.19581 of 2016**

Arising Out of PS.Case No. -161 Year- 2012 Thana -RASULPUR District- SARAN

1. Shamim Miyan S/o Md. Bhola  
2. Md. Ushman S/o Md. Ismail  
3. Nirmal Sah S/o Late Yamuna Sah  
All resident of Village- Bhazouna, P.S. Manjhi, District- Saran.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rajesh Roy

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

**CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR**  
**ORAL ORDER**

2      19-05-2016      Heard Sri Raghvendra Kumar, learned counsel for the  
petitioners and Smt. Nirmala Kumari , learned A.P.P.

Three petitioners, apprehending their arrest in  
connection with Rasulpur P.S . Case No. 161 of 2012 registered  
for the offence under section 467, 468, 471, 472, 420, 406 ,  
120(B) of the Indian Penal Code, have prayed for grant of  
anticipatory bail.

It was submitted by learned counsel for the petitioners  
that in the accused column of the F.I.R. petitioners were not  
arrayed as accused however certain facts have been disclosed  
showing that petitioners at particular place had kept the asbestos  
sheets. He submits that it was not a case that petitioners were

involved in the theft of asbestos sheets and without any rhyme and reason police has filed the case.

Learned A.P.P. has apposed the prayer for anticipatory bail. However, keeping in view the facts and circumstances, let the aforesaid three petitioners namely **Shamim Miyan, Md. Ushman and Nirmal Sah** be enlarged on bail on furnishing bail bond of Rs. 10000/- (rupees ten thousand ) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1<sup>st</sup> Class, Saran at Chapra in connection with Rasulpur P.S. Case No. 161 of 2012 in the event of their arrest or surrender within a period of six weeks from today subject to the conditions as contemplated under section 438(2) of the Cr.P.C.

**(Rakesh Kumar, J)**

Praful/-

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