

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48014 of 2016

Arising Out of PS.Case No. -24 Year- 2010 Thana -KOCHAS District- SASARAM (ROHTAS)

- =====
1. Sharma Mushahar S/o Late Gazar Mushahar
 2. Subhash Mushahar S/o Sumha Mushahar Both resident of Village-Binpurwa, P.S.- Ramgarh District- Kaimur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Nandan Sahay

For the Opposite Party/s : Mr. Sri Shyameshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 24-11-2016

Heard counsel for the petitioner and Mr. Dayal, A.P.P. for the State.

The petitioner prays for grant of bail in Kochas (Parsathua) P.S. Case No. 24 of 2010, registered under Section 395 of the Indian Penal Code.

The F.I.R. was lodged against unknown persons, alleging that while the informant was sleeping in his *Marai*, 10-12 accused persons under threat of life relieved him on his cash and mobile.

It is stated that about 18 months after the occurrence one suspected accused namely Dindayal Mushahar was arrested who, in his confessional statement, named the petitioner and few others as his associates. No recovery was effected from possession of the Dindayal Mushahar. It is stated that except the aforesaid statement which got support from few other witness there is no incriminating materials against the petitioner. Other accused persons similarly named by Dindayal Mushahar have been granted

bail by this court. Petitioners are languishing in custody since 10.12.2015.

Considering the facts and circumstances of the case, the petitioners, above, named 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 Additional Sessions Judge, 4th Rohtas at Sasaram in S.Tr. No. 132 of 2016 arising out of Kochas Parsathua P.S. Case No. 24 of 2010 subject to the following conditions:

- (i)

One of the bailors shall be the own/close family members of the petitioner.
- (ii)

In case of framing of charge, the petitioners shall appear in person on each and every date fixed in the court below. In case of default in doing so on two consecutives occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioners and secure his arrest in accordance with law.

siddharth/-

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(Kishore Kumar Mandal, J)