

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36188 of 2016

Arising Out of PS.Case No. -41 Year- 2016 Thana -NAUHATTA District- SAHARSA

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1. Sheikh Gaffar @ Sheikh Gafafar @ Sheikh Gafar @ Sekh Gafar son of Late Sheikh Hasan Imam,
 2. Sekh Satatar @ Sheikh Satar @ Sheikh Sattar, son of Late Sheikh Hasan Imam,
Both residents of village- Dibra (Mouza Auria Ramoti) P.S. Nauhatta, District- Saharsa.

.... Petitioners

Versus

1. The State of Bihar
2. Bibi Nur Jahan D/o Nur Mohamad wife of Anbarul Haque, resident of village- Dibra (Mouza Auria Ramoti) P.S. Nauhatta, District- Saharsa.

.... Opposite Parties

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Appearance :

For the Petitioners : Mr. Amarnath Jha, Adv.
For the Opposite Parties : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 06-09-2016 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 406, 420, 120B, 467, 468 and 34 of the Indian Penal Code registered in connection with Nauhatta P.S. Case No. 41 of 2016.

3. It is submitted that the petitioners have been falsely implicated for a transaction of civil nature which transpired in the year 1964. Parties are relatives of each other. Petitioners claim clean antecedents.

4. Having regard to the entirety of the facts and

circumstances of the case, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Saharsa in connection with Nauhatta P.S. Case No. 41 of 2016 (G.R. No. 609 of 2016), subject to the conditions as laid down under Section 438(2) Cr.P.C., and also subject to the following further conditions:

(i) That one of the bailors of each of the petitioners shall be their close relative other than the petitioners herein.

(ii) The petitioners shall cooperate with the investigation and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iii) The petitioners shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Md. Ibrarul/Chandran

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