

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44954 of 2015

Arising Out of PS.Case No. -232 Year- 2005 Thana -MOTIHARI TOWN District- EAST
CHAMPARAN (MOTIHARI)

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SAMIM MIAN @ SAMIM ALAM, son of Ajizur Rahman, resident of
Village- Itwa, P.S.- Pakridayal, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Binod Kumar Mishra, Advocate.

For the Opposite Party/s : Mr. Suresh Pd. Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 30-01-2016 Heard learned counsel for the petitioner as well as

learned A.P.P. for the State.

Petitioner is not named in the First Information Report but, in course of investigation, the name of the petitioner came in this case on the basis of the information given by a spy of police but except suspicion, there appears nothing against the petitioner. Moreover, the victim has also not named the petitioner in her statement under Section 164 Cr.P.C.

The alleged occurrence took place in the year 2005 but the petitioner was remanded in the present case on 03.08.2014. Submission on behalf of the petitioner is that the petitioner was in jail custody in connection with another case but the police did not take any step to get the petitioner remanded in the present case.

No doubt, the petitioner carries criminal antecedent of two cases but taking note of the facts and circumstances as well as the submissions of the parties, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Ad hoc Addl. District Judge – I, Motihari in connection with S. Tr. No. 372/2015, arising out of Motihari Town P.S. Case No. 232/2005, subject to the condition that the petitioner shall attend the trial court on each and every date in person for the period of one year or till conclusion of his trial, whichever is earlier, and if he fails to do so on two consecutive dates without any reasonable cause, the learned court below shall be at liberty to cancel the bail bonds of the petitioner.

(Hemant Kumar Srivastava, J)

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