

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54815 of 2016

Arising Out of PS.Case No. -19 Year- 2007 Thana -ROUH District- NAWADA

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1. Md. Sabir son of Md. Salim
 2. Md. Imtiyaz son of Md. Makbul

Both are resident of village-Marui, P.S.-Roh, Distt.-Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dineshwar Mishra

For the Opposite Party/s : Mr. Sri Manish Kumar 2

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-12-2016

Heard learned counsel for the petitioners and the State.

The petitioners seek bail in a case instituted under Sections 147, 148, 149, 323, 324 and 376/511 and 379 of the Indian Penal Code and 27 of the Arms Act.

Allegation against petitioners is that they attempted to outrage modesty of informant but on being raised alarm the villagers assembled, and accused persons could not succeed in their wrong-doings.

It has been submitted on behalf of petitioners that earlier petitioners were granted bail by the court below itself. Later on, petitioners had gone for earning their bread and butter and, as such, proper pairvi could not be made on their behalf. Hence, their bail bond was cancelled on 21.1.2015 and 28.2.2015 respectively. It is a case of misuse of privilege of bail. Petitioners have remained in custody since 19.9.2016. The matter has been compromised between the parties.

On behalf of the State, it is submitted that petitioners are named in the F.I.R.



Considering the aforesaid facts and circumstances, let the above named petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Vth Addl. Sessions Judge at Nawada, in connection with Sessions Trial No. 379 of 2009/ 186 of 2016 arising out of Roh P.S. Case no. 19 of 2007.

It is directed that petitioners shall co-operate during the trial. If the court below finds that petitioners are not co-operating, then the court below will be at liberty to cancel the bail bond of petitioners.

(Sudhir Singh, J)

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