

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 42905 of 2016

Arising out of P.S. Case No. -103 Year- 2016 Thana -BAHERI
District- DARBHANGA

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MD. NIZAM ALI @ MD. NIZAM @ NIZAM @ MD. NIZAM
ALI, Son of Md. Mukbool, Resident of Village- Kamalpur
(Katwasha), Post- Havidih, P.S. Baheri, District-Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Jha, Adv.
: Mr. Sanjay Kumar, Adv.

For the Opposite Party/s: Mr. Kumar Virendra Narayan, APP.

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

02. 21.10.2016

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 406, 407, 411, 413, 414, 420, 467, 468, 379 and 120(B) of the Indian Penal Code.

It is contended that as per the allegation, on the confession of the petitioner, the alleged goods which were loaded on the truck found abandoned near a petrol pump at Majhora, Darbhanga from where the truck was recovered. It is further contended that the alleged goods were recovered from the house of co-accused, Aftab Alam who has been granted bail by a co-ordinate Bench of this Court vide order dated 16.08.2016

passed in Cr. Misc. No. 22382 of 2016, a copy of the order is appended as Annexure-2 and one other co-accused has also been granted bail by order dated 03.10.2016 passed in Cr. Misc. No. 40660 of 2016, a copy of the order has been produced at the time of hearing. Let it be kept on record. It is also contended that the petitioner is in custody since 09.04.2016 and he is having clean antecedent.

Having regard to the facts and circumstances of the case, the petitioner, namely, Md. Nizam @ Md. Nizam @ Nizam @ Md. Nizam Ali is directed to be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand Rupees) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Benipur, Darbhanga in connection with Bahera P.S. Case No. 103 of 2016 (G.R. No. 129 of 2016).

However, at the time of accepting bail bond, the court below will verify and ensure itself regarding the criminal antecedent of the petitioner. If the petitioner is having clean antecedent then his bail bond would be accepted otherwise he would be taken in custody.

(Dr. Ravi Ranjan, J.)

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