

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22563 of 2016

Arising Out of PS.Case No. -12 Year- 2012 Thana -SARAN GRP CASE District- SARAN

1. Chhotu Miyan @ Mumtaz, son of Md. Mofiz @ Mufid Miyad @
Shaukat, resident of village- Mohiuddin Nagar Bazar, P.S.- Mohiuddin
Nagar, District- Samastipur..... Petitioner

Versus

1. The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Bela Singh

For the Opposite Party/s : Mr. Shakir Ahmad(App)

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 25-05-2016 Heard learned counsel for the petitioner and learned APP
for the Sate.

The petitioner seeks bail in connection with Sonapur
(Hajipur) Rail P.S. Case No. 12 of 2012 registered for the offence
punishable under Section 379 of the Indian Penal Code.

The petitioner is not named in the first information report
which has been registered against unknown.

It is submitted that the name of the petitioner has come in
the confessional statement of co-accused Dashrath Sahani and the
petitioner is in custody since 31.07.2015 but he has not been put
on test identification parade, nothing has been recovered from
possession of the petitioner. Co-accused Perwej Alam, Ramesh
Paswan, Raju Nut have already been allowed bail by another co-
ordinate Benches of this Court and further Dashrath Sahani and

Lakhan Mandal have also been allowed bail.

Learned APP fairly submits that other co-accused have been allowed bail.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Railway Judicial Magistrate, Sonapur, Saran in connection with Sonapur (Hajipur) Rail P.S. Case No. 12 of 2012, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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