

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4563 of 2016

Arising Out of PS.Case No. -65 Year- 2013 Thana -SACHIWALAYA District- PATNA

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1. Shahwaz Khan @ Shahwaz @ Mahan
2. Md. Afsar Khan @ Afsar @ Aksar @ Md. Afsar
Both sons of Sayed @ Saiyad Khan Resident of Mohalla- Samanpura, Raja
Bazar, P.S.- Shastrinagar, District- Patna.... Petitioners

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Md. Shamimuddin

For the Opposite Party/s : Mr. S.Ehteshamuddin(App)

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

ORAL ORDER

3 28-03-2016 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners seek bail in connection with
Sachiwalay P.S. Case No. 65 of 2013 registered for the offences
punishable under Sections 365 and 379 of the Indian Penal Code
which was subsequently converted into Section 392 of the Indian
Penal Code.

Allegedly, three unknown miscreants snatched the
bag from the informant containing cash of Rs. 600/-, one Nikon
Camera, ID Card etc. from a running tempo. During investigation
name of the petitioners transpires in the confessional statement of
co-accused Rocky Kumar @ Aakash.

Submission is of false implication and that the
petitioners are suffering in custody since 24.12.2014 but they have

not been put on test identification parade and nothing has been recovered from their conscious possession and without any legal and tangible material they have sufficiently been penalized to which learned APP opposes by submitting that the petitioners have got criminal antecedent.

In the facts and circumstances stated above, the petitioners above named are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Smt. Rumpa Kumari, J. M. Ist Class, Patna in connection with Sachivalaya P.S. Case No. 65 of 2013, 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 petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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