

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23054 of 2016

Arising Out of PS.Case No. -381 Year- 2015 Thana -ARARIA District- ARRARIA
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Md. Firoz Alam son of Late Gayasuddin, resident of Village- Pathrabari,
Police Station- Jokihat District- Araria

.... Petitioner

Versus

The State of Bihar

.... Opposite Party
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Appearance :

For the Petitioner : Mr. Mukesh Kumar Rana, Advocate
For the Opposite Party : Mr. Amit Kr Rakesh (App)
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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 13-07-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Araria
(Bairgachhi) P.S. Case No. 381 of 2015 registered for the offence
punishable under Section 395 of Indian Penal Code.

Allegedly, six unknown miscreants on three
motorcycles on the point of pistol committed dacoity and snatched
away cash and other articles from the informant and three others
and thereafter fled away. During investigation, the name of the
petitioner transpires in the confessional statement of co-accused
Md. Aashif Reza.

Submission is of false implication and that the
petitioner is not named in the F.I.R. Nothing has been recovered
from his possession, he is in custody since 01.12.2015 but he has

not been put on T.I.P., there is no legal and tangible material against him, other co-accused, namely, Saddam, Md. Sadaquat @ Sadaquat and Md. Imtyaz @ Md. Imtiaz @ Shahil have been allowed bail by different co-ordinate Benches of this Court and as such the petitioner also deserves sympathetic consideration.

Learned A.P.P. 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 Chief Judicial Magistrate, Araria in connection with Araria (Bairgachhi) P.S. Case No. 381 of 2015, 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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