

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8886 of 2016

Arising Out of PS.Case No. -128 Year- 2014 Thana -RAFIGANJ District- AURANGABAD

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1. Md. Neyaz @ Md. Neyaz Ahmad S/o- Md. Nasiruddin Resident of
village- Main Road, Rafiganj, P.S.- Rafiganj, District- Aurangabad
.... Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha

For the Opposite Party/s : Mr. Raj Ballabh Singh(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 22-04-2016 Heard learned counsel for the petitioner and learned APP
for the Sate.

The petitioner seeks bail in connection with Rafiganj
P.S. Case No. 128 of 2014 registered for the offences punishable
under Sections 436, 452, 427/34 of the Indian Penal Code.

Allegedly, shop of the informant was burnt and the
informant saw the petitioner, co-accused Md. Shahnawaz and 3-4
unknown fleeing away.

Submission is of false implication and that only on
suspicion the petitioner has been implicated resulting he is
suffering in custody since 05.01.2016, other co-accused Md.
Sahnawaz has already been allowed bail vide Cr. Misc. No. 17525
of 2015 by another co-ordinate Bench of this Court.

Learned APP opposes the prayer of bail by submitting

that clothes of Rs. 25,00,000/-, jewelry of Rs. 16,00,000/- and other ancestral jewelry and papers were burnt to ashes and the petitioner was identified by the informant.

In the facts and circumstances stated above, considering that similarly situated co-accused Shahnawaz has been admitted to bail, 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, Aurangabad in connection with Rafiganj P.S. Case No. 128 of 2014, 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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