

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48918 of 2015

Arising Out of PS.Case No. -14 Year- 2015 Thana -KATIHAR MUFFASIL District- KATIHAR

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Shabbir @ Shabir Son of Sainuddin @ Mainuddin, Resident of Village -
Baghwa, Police Station - Balia Belone, Kadwa, District - Katihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Manoj Kumar (App)

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

ORAL ORDER

3 29-01-2016 Heard learned counsel for the petitioner as well as
learned A.P.P. for the State.

The petitioner seeks bail in connection with Katihar
Muffasil P.S. Case No. 14/2015 registered for the offence
punishable under Sections 392 of the Indian Penal Code and 27 of
the Arms Act.

Allegedly, at the point of pistol three miscreants
snatched bag containing cash of Rs. 2,50,000/- from the informant
and the informant identified one Md. Shahnawaz Alam out of the
three miscreants. During investigation in the confessional
statement of co-accused Md. Said the name of the petitioner
transpired which is evident from impugned order itself.

Submission is of false implication, that the petitioner
was in jail custody in Kadwa P.S. Case No. 19/2015 and from that
case he has been remanded in this court but no T.I.P. was

conducted, nothing has been recovered from possession of the petitioner and as such the petitioner deserves sympathetic consideration as co-accused Md. Said @ Md. Sahid who has confessed his guilt has already been allowed bail by the learned court below itself vide B.P. No. 829/2015.

Learned A.P.P., after going through the impugned order, fairly submits that besides confessional statement of co-accused there is nothing against the petitioner.

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, Katihar in connection with Katihar Muffasil P.S. Case No. 14/2015, subject to the conditions that one of the bailors must be 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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