

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20237 of 2016

Arising Out of PS.Case No. -160 Year- 2014 Thana -NAUTAN District- SIWAN

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1. Saddam Hussain S/o Late Sadique, Khan, resident of village- Purani Quila, Pokhara, P.S.- Siwan Town, District- Siwan. Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyendra Rai
For the Opposite Party/s : Mr. Bharat Bhushan(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 30-06-2016 Heard learned counsel for the petitioner and learned A.P.P. representing the State.

The petitioner seeks bail in connection with Nautan P.S. Case No. 160 of 2014, G.R. No. 6067 of 2014 registered for the offence punishable under Section 392 of the Indian Penal Code.

Allegedly, motorcycle of the informant was snatched away by three un-known miscreants. During investigation, the name of the petitioner transpired in the confessional statement made in another case and further looted motorcycle was also recovered.

Submission is of false implication and that nothing has been recovered from conscious possession of the petitioner, he is suffering in custody since 15.2.2015 but he has not been put on TIP, nothing has been recovered from his conscious possession,

without any legal and tangible material he is suffering in custody to which the learned A.P.P. opposes but fairly submits that para 4, 28 and 29 of the case diary referred in the impugned order, do not reveal the name of the petitioner as in those paras it is stated that un-known have taken away the motorcycle.

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 A.C.J.M.-VIII, Siwan in connection with Nautan P.S. Case No. 160 of 2014, G.R. No. 6067 of 2014 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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