

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.12015 of 2017

Arising Out of PS.Case No. -43 Year- 2016 Thana -SISWAN District- SIWAN

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Aftab Alam @ Aftab S/o Saleem Mian R/o Village - Sahnawazpur, P.S. -
Taraiya, District - Saran at Chapra..... Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Y. C. Verma, Sr. Advocate

Mr. Satyendra Rai

For the Opposite Party/s : Mr. Sri Zainul Abedin

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

ORAL ORDER

2 27-03-2017 Heard learned Sr. Counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Siswan P.S. Case
No. 43 of 2016 registered for the offences punishable under
Sections 413 and 414 of the Indian Penal Code.

Allegedly, Munna Khan was apprehended in connection
with Siwan P.S. Case No. 149 of 2016 and he confessed his guilt
and further stated that some stolen vehicles are also kept at another
places and accordingly, raid was conducted and one Bolero
vehicle was recovered for which it was stated by Munna Khan that
it was brought by the petitioner and others after stealing the same.

Submission is of false implication and that besides
confession there is no other material against the petitioner, the
petitioner is suffering in custody since 22.09.2016, no witness has



come forward to say regarding the involvement of the petitioner and only on the basis of his criminal antecedent he is being implicated in one case after another.

Learned APP opposes the prayer of bail by pointing out the criminal antecedent of the petitioner.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence, 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 learned A.C.J.M. 10, Siwan in connection with Siswan P.S. Case No. 43 of 2016, 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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