

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5704 of 2017

Arising Out of PS.Case No. -492 Year- 2016 Thana -SIWAN CITY District- SIWAN

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Md. Kaif Shamshir @ Md. Kaif @ Banti Son of -Shamshir Mian @
Namunna Mian, Resident of Mohalla-Dakhin Tola Siwan, P.S.-Siwan
Town, District-Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Dr. Amarendra Kumar, Advocate
Mr. Ajay Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Dilip Kumar, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 22-02-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
in 21.09.2016 connection with Siwan Town P.S. Case No.
492 of 2016 registered for the offence punishable under
Sections 387, 388/34 of the Indian Penal Code.

The prosecution case, as lodged by one Firoz
Khan @ Nanhe Khan, is that petitioner along with three
others was demanding ransom of Rs. two lacs and was also
threatening with dire consequences.

It has been submitted by the learned counsel for



the petitioner that the informant and the petitioner are neighbour and due to personal enmity, petitioner has been dragged in the aforesaid case. It has further been submitted that on similar allegations, two co-accused have been granted the privilege of bail by Coordinate Benches of this Court in Cr.Misc.No.215 of 2017 on 12.01.2017 and Cr.Misc.No.49507 of 2016 on 08.02.2017.

However, learned A.P.P. for the State submits that the petitioner does not have clean antecedent as he is named in the First Information Report and several cases are pending against him, hence, opposes the prayer for bail.

Considering the facts and circumstances and that on similar allegations other co-accused have been granted the privilege of bail, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan in connection with Siwan Town P.S. Case No. 492 of 2016, subject to the condition that one of the bailors must be a close relative of the petitioner and if the petitioner is found to have indulged in similar nature of offence in future, the



learned Court below will be at liberty to cancel the bail bonds
of the petitioner without being prejudiced with this order.

(Nilu Agrawal, J.)

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