

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21737 of 2017

Arising Out of PS.Case No. -24 Year- 2016 Thana -KOCHADHAMAN District- KISANGANJ

- =====
1. Akbar @ Akbar Alam, Son of Mahtab Alam, Village- Durgapur, P.S.- Kochdhaman, District- Kishanganj.
 2. Nurshad @ Don @ Nurshad Alam, Son of Matiur Rahman, R/o Village- Pathamari Jagir, P.S.- Kochadhaman, District- Kishanganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Sinha, Advocate.

For the Opposite Party/s : Mr. Nawal Kishore Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 17-05-2017 Heard learned counsel for the petitioners and the State.

The petitioners seek bail in Sessions Trial No. 269 of 2016 arising out of Kochadhaman P.S. Case No. 24 of 2016 instituted for the offence under Sections 395 and 397 of the Indian Penal Code.

The First Information Report has been lodged against unknown.

It is alleged in the *Fardbeyan* that dacoity has been committed in the house of the informant.

From the impugned order it appears that witnesses in paragraphs- 26 and 37 of the case diary stated that these



petitioners were found moving around the house in suspicious condition. Besides this, it appears from the impugned order that there is no specific allegation of overt act against the petitioners. There is no recovery of any incriminating article from possession of the petitioners.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioners is allowed. Let the petitioners above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj, in connection with Sessions Trial No. 269 of 2016 arising out of Kochadhaman P.S. Case no. 24 of 2016, subject to the condition that both the bailors will be the close relatives of the petitioners.

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(Sanjay Priya, J)

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