

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36714 of 2017

Arising Out of PS.Case No. -116 Year- 2016 Thana -PIPRA District- SUPAUL

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1. Md. Anjar, Son of Late Ramjan Ali, R/o Village- Fulkaha, P.S.- Jadia, District- Supaul.

2. Sarfaraz Akhtar @ Guddu @ Md. Guddu @ Sarfaraz, Son of Md. Istihaque, R/o Village- Kanp Bazar, Ward No. 12, P.S.-Sour Bazar, District- Saharsa.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Uday Chand Prasad, Advocate

For the Opposite Party : Mr. J.K.Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 22-09-2017 Heard learned counsel for the petitionerw and learned APP for the State.

2. The petitioner nos. 1 and 2 are in custody since 23.12.2016 and 31.03.2017 respectively, in connection with Pipra P.S. Case No. 116 of 2016 for the alleged offences under Section 395 of the Indian Penal Code.

3. It is submitted that the petitioners have been falsely implicated on mere suspicion. There is no recovery of any incriminating articles from the possession of the petitioners nor any test identification parade has been conducted. Similarly situated co-accused Md. Shamshad @ Md. Shamshad Alam, Md. Parwej, Md. Tabrej and Rakesh Yadav have been granted bail by this Court in Cr. Misc. No. 22315 of 2017.

4. Learned APP opposes the prayer for bail pointing out criminal antecedents of the petitioner.

5. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioners above named be



released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional District Judge II, Supaul in connection with Pipra P.S. Case No. 116 of 2016 on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioners.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall co-operate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioners shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Chandran/BT

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