

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1379 of 2017

Arising Out of PS.Case No. -132 Year- 2016 Thana -RAMNAGAR District-
WESTCHAMPARAN(BETTIAH)

=====

Md. Samir @ Md. Sagir Son of Saimul @ Sainul Miyan Resident of
Village- Majhauriya, Dewan Tola, Police Station - Majhauriya, District-
Champaran

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Sanjay Kumar No.-7, Advocate.

For the Opposite Party : APP

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

5 10-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 26.05.2016 in connection with Ramnagar P.S. Case No. 132 of 2016 for the offences alleged under Sections 394/412 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated as admittedly the amount of Rs. 8 lakhs alleged to have been stolen from the Bank was recovered from sugarcane field and not from the conscious possession of the petitioner. There is no eye witness to the alleged occurrence nor the petitioner has been put on test identification parade for his identification. No arms or weapons have been recovered from the petitioner and hence it is improbable that he would have gone to loot the Bank unarmed. The petitioner claims clean antecedents.

4. The status report called for by this Court shows that the trial is at the evidence stage after framing of charge and examination of the prosecution witnesses does not appear to have commenced so far.

5. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/-



(ten thousand) with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Bagaha, West Champaran, in connection with Ramnagar P.S. Case No. 132 of 2016, on the following conditions:-

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

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

(iii) That the petitioner 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, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

Md. Ibrarul/BT

U		T	
---	--	---	--

