

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52935 of 2017

Arising Out of PS.Case No. -175 Year- 2017 Thana -MOHANIA District- BHABHUA (KAIMUR)

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Saddam Hussain

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey, Advocate

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 09-11-2017 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered for offence
under section 395 of the IPC.

Allegation is that 10 to 12 miscreants, armed with knife
and katta, surrounded the informant and his friends and took
away their mobile phones, ID card and some cash.

Counsel for the petitioner submits that the FIR is against
unknown and the petitioner has been remanded in this case
subsequent to his arrest in Mohania Police Station Case No. 178
of 2017 under the Arms Act. Besides, he has not been put on TI
parade and the recovered items have not tallied from the looted
articles mentioned in the FIR. Petitioner is in custody since
23.4.2017, whereas similarly situated co-accused Ravi Kumar
has already been allowed bail by a bench of this Court vide order
dated 10.8.2017, passed in Cr.Misc.No. 36313 of 2017.

In the facts of the case, prayer for bail of the petitioner is
allowed. Let the petitioner, as mentioned above, be released on
bail on his furnishing bonds of Rs 10,000/- (Rupees Ten



Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Kaimur at Bhabua in Mohania Police Station Case No. 175 of 2017 on following conditions:-

(a) One of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with him. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(b) The petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse.

(c) The petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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