

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49330 of 2016

Arising Out of PS.Case No. -311 Year- 2015 Thana -MAHARAJGANJ District- SIWAN

- =====
1. Luqman Miya @ Lukman Ali & Ors Late Usman Ali
 2. Mhd. Zubair@Zulikhar @ Zubair, Son of Abdul Salam.
 3. Mhd. Istekhar (Ibtekhar) @ Md. Istekhar son of Abdul Salam.
1 to 3 residents of village Birhoon, Mohlla Takiya, P.S. Rasoolabad,
District Kanpur Dehat (U.P.)
 4. Mhd. Umar son of Juman Ali
 5. Mhd. Haroon son of late Rasuf both 4 and 5 residents of village Aher,
P.S. Tirwa, District Kannauj (U.P.)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Javed Aslam

For the Opposite Party/s : Smt Indu Kumari Srivastava, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 18-01-2017 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners seek bail in connection with
Maharajganj P.S. Case No. 311 of 2015 for the offence punishable
under section 392 of the Indian Penal Code.

It has been submitted on behalf of the petitioners that
they are not named in the first information report rather on the
basis of the confessional statement of co-accused, they have been
named in this case as well as in other cases and the petitioners are
in custody since 14.06.2016. It has further been submitted that the
petitioners have not been put on T.I. parade and there is no



recovery from possession of the petitioners.

Heard learned A.P.P. also who has opposed the prayer for bail.

Having heard both sides and from perusal of the record, it appears that though the petitioners are accused in several cases but in the present case there is nothing against them except the confessional statement of co-accused. As such their prayer for bail is allowed.

The petitioners above named are directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty five thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan in connection with Maharajganj P.S. Case No. 311 of 2015 subject to the conditions that both the bailors shall be local having property within the jurisdiction of the court below and with further condition that they will co-operate in disposal of the trial and in case of failure to appear in the court below on two consecutive dates fixed in the case, the trial court may consider cancelling the bail bonds of the petitioners.

(Vinod Kumar Sinha, J)

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