

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49240 of 2016

Arising Out of PS.Case No. -65 Year- 2016 Thana -SARAN GRP CASE District- SARAN

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1. Md. Salman @ Salman son of Kurban Mian @ Md. Kurban Mian
resident of Village/Mohalla- Sikandarpur, Samsanghat, P.S.- Sadar,
District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar

For the Opposite Party/s : Mr. Sri Anish Chandra

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

7 19-04-2017 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Rail
Muzaffarpur P.S. Case No. 65 of 2016 registered for the offences
punishable under Sections 401 and 414/34 of the Indian Penal
Code.

Allegedly, Rocky Kumar was apprehended, whereas,
other accused persons succeeded in fleeing away, when they were
making a plan to commit crime. The name of the petitioner
transpired in the confessional statement of co-accused Rocky
Kumar.

Submission is of false implication and the petitioner is



suffering in custody since 13.08.2016. Besides confessional statement of co-accused, there is no other material against the petitioner and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. fairly submits that the name of the petitioner has come in the confessional statement of co-accused.

In the facts and circumstances stated above, the petitioner, above named, is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Rail Judicial Magistrate, Sonpur, Saran at Chapra in connection with Rail Muzaffarpur P.S. Case No. 65 of 2016 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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