

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28642 of 2017

Arising Out of PS.Case No. -519 Year- 2017 Thana -SASARAM MUFFSIL District- SASARAM
(ROHTAS)

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1. Asaraf Ali son of Abdul Mazid, resident of village Lamba Khaira, P.S. Shivhar, Bijnor (U.P.)

2. Md. Kaimu @ Md. Quim son of Shakur resident of village Mirapur, Muzaffarnagar (U.P.)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh No-10

For the Opposite Party/s : Mr. Pancha Nand Pandit, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

3 02-08-2017 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners are languishing in custody since 23.04.2017
in connection with Sasaram Muffasil P.S. Case No. 519 of 2017,
G.R. No. 960 of 2017 for offences punishable under Sections 379
and 411 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that while he along with one Vikrama Devi was going by Tata
Magic, four persons sat on the roof top of vehicle and the driver
has seen that the petitioners along with 2 others taking out some
money from the bag of Vikrama Devi. He stopped the
vehicle, petitioners and other co-accused started to flee away



but they were apprehended by the villagers and from the pocket of petitioner no. 1, an amount of Rs. 4,500/- was recovered, which was taken from the bag of Vikrama Devi, and the same was handed over to her.

It has been submitted by the learned counsel for the petitioners that they are innocent, bear no criminal history and have been falsely implicated in the aforesaid case. It is further submitted that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned APP for the State opposes the prayer for bail.

Be that as it may, let petitioners, above named, be enlarged on bail on furnishing bail bonds of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas, Sasaram, in connection with Sasaram Muffasil P.S. Case No. 519 of 2017, G.R. No. 960 of 2017, subject to the condition that one of the bailors of both the petitioners individually would be a close relative of the petitioners having sufficient immovable property within the jurisdiction of the concerned police station, who will file an affidavit stating his relationship with the petitioners. It is



also made clear that if the petitioners indulge in an offence of similar nature in future, the prosecution will be at liberty to move the court below for cancellation of their bail bonds.

(Nilu Agrawal, J)

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