

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31061 of 2017

Arising Out of PS.Case No. -552 Year- 2017 Thana -SASARAM NAGAR District- SASARAM
(ROHTAS)

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1. Mahtab Alam, Son of Kamru Jahan,
2. Manzoor Alam, Son of Late Ajib Ray, Both Resident of Village-
Akhalashpur, P.S. Bhabua, District- Kaimur (Bhabua).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar Seth

For the Opposite Party/s : Mr. Sri Ajay Kumar Jha

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 21-08-2017 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners are languishing in judicial custody since
06.05.2017 in connection with Sasaram (Model) P.S. Case No.
552 of 2017 for offences punishable under Section 379 of the
Indian Penal Code and later on Section 411 of the IPC was added.

The prosecution case, as lodged by the informant Lalita
Chaubey, is that when she was having a walk in the morning, two
persons have snatched her gold chain worth Rs. 60,000/-.

It has been submitted by the learned counsel for the
petitioners that they are innocent and not named in the First
Information Report. It is only on the basis of suspicion at the



instance of the police, they have been implicated in the present case. Gold chain has been recovered but as per the identification, that is not of the informant.

However, learned APP for the State opposes the prayer for bail stating therein that petitioner does not have a clean antecedent and was involved in a case of similar nature earlier.

Considering the facts and circumstances and the materials on record, let petitioners, above named, be enlarged on bail **after completion of six months in custody** on furnishing bail bond of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas at Sasaram, in connection with Sasaram (Model) P.S. Case No. 552 of 2017 subject to the condition that one of the bailors 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 and that petitioners will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of their bail bonds. 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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