

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27632 of 2017

Arising Out of PS.Case No. -14 Year- 2013 Thana -FORBESGANJ District- ARRARIA

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1. Md. Nizam @ Nizam Son of Idrish, Resident of Village- Pipra Ghat
Tappu Tola, Police Station- Jogbani, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana

For the Opposite Party/s : Mr. Sri Ram Naresh Ray

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 27-07-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is in judicial custody since 17.02.2017
in connection with Forbesganj P.S.Case no. 14 of 2013, G.R.No.
119 of 2013 appertaining to S.T.No. 150 of 2017 for the offences
alleged under Section 395 and 397 of the Indian Penal Code and
3 / 4 of the Explosive Substance Act.

It has been submitted by the learned counsel for the
petitioner that the petitioner is innocent and not named in the FIR.
His name has surfaced in the confessional statement of co-accused
Md.Rustam, who has been granted privilege of bail in Cr. Misc.
No. 33441 of 2014 on 26.09.2014 itself. It is further submitted that
the petitioner has falsely been implicated in the case and that



charge sheet has already been submitted, hence there is no chance of tampering with the prosecution witnesses.

However, learned A.P.P. opposes the prayer for bail stating therein that the petitioner has criminal history.

Be that as it may, let above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 4th Additional Sessions Judge, Araria in Forbesganj P.S.Case No. 14 of 2013,G.R.No. 119 of 2013 corresponding in S.T.No. 150 of 2017, subject to the condition that both the bailors would be close relative of the petitioner with sufficient immovable property within the jurisdiction of the concerned police station/court, who will file an affidavit stating their relationship with the petitioner and the petitioner will appear before the court below during trial on each and every date and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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