

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41854 of 2017

Arising Out of PS.Case No. -416 Year- 2015 Thana -MADHUBANI TOWN District-
MADHUBANI

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1. Md. Sahid Son of Late Md. Rafik, R/o Village- Jhanjharpur, Madarsa Choak, P.S.- Jhanjharpur, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13

For the Opposite Party/s : Mr. Smt Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 21-09-2017 Heard the parties.

This application is for grant of regular bail in connection with Madhubani Town P.S.Case No.416 of 2015 dated 14.9.2015 corresponding to G.R.No.2650 of 2015 for the offences under Sections 395 & 397 of the Indian Penal Code and Section 27 of the Arms Act and Section 34 of Explosive Substance Act.

The petitioner is not named in this case and his name appeared on the basis of confession of the other co-accused persons. The petitioner is in custody for about two years and it further appears that he has criminal antecedent of involving in three other cases also.

Submission of the learned counsel for the petitioner is that the petitioner is in custody since 14.10.2015 and other



accused persons have been granted bail by this Court.

Heard learned A.P.P. also.

In this case, a report was called for from the learned Trial Court and from perusal of the same it appears that the charge had been framed on 12.5.2016, no witness has been examined up-till-now, 08 accused persons have absconded and the case is fixed for appearance.

Having heard both sides and in view of report, at this stage, I am not inclined to grant bail to the petitioner rather the learned trial court is directed to complete the appearance within a period of one month.

At the same time, the S.P., Madhubani is directed to get the absconding accused persons appeared in the trial court within a period of one month and once the appearance is completed or after one month, the learned trial court will proceed with the evidence even after separating the case of the petitioner. Once the evidence commenced, the petitioner is at liberty to renew his prayer for bail before the learned trial court and considering the period of custody, he will release the petitioner on bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge VI, Madhubani in connection with Madhubani Town P.S.Case No.416



of 2015 dated 14.9.2015 giving rise to S.T.No.107 of 2016 but before releasing the bail, he will verify the address of the petitioner as well as genuineness of address of the bailor.

With the aforesaid observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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