

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41566 of 2017

Arising Out of PS.Case No. -8 Year- 2013 Thana -CHIRAIYA District-
EASTCHAMPARAN(MOTIHARI)

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1. Kaalir Mian @ Kadir Mian @ Kadir Son of Noor Hasan Mian @ Bhutai Mian, Resident of Village- Shikarganj, Police Station- Shikarganj, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar

For the Opposite Party/s : Mr. Sri Ahtash Ali Khan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 08-09-2017 The petitioner seeks regular bail in connection with Chiraiya (Shikarganj) P.S. Case No. 8 of 2013, registered for offences punishable under Section 393 of the Indian Penal Code.

Allegation against the petitioner is of try to steal the motorcycle of the informant but on *hulla* being raised he managed to escape after snatching the mobile of father of informant.

It has been submitted on behalf of the petitioner that petitioner's name has surfaced in this case only on the basis of confessional statement of co-accused and except that there is nothing against him. It has further been submitted that the co-accused on whose confessional statement, petitioner's name transpired in this case has already been granted bail by a



Coordinate Bench of this Court vide order dated 28.03.2014, passed in Criminal Misc. No. 39386 of 2013 and petitioner has been in judicial custody since 03.07.2017.

Heard learned A.P.P. also.

Having heard both sides, in view of the above fact as well as in view of the fact that other co-accused has already been granted bail, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five) with two sureties of the like amount each to the satisfaction of learned ACJM, Sikranha at Dhaka, in connection with Chiraiya (Shikarganj) P.S. Case No. 8 of 2013, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the



court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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