

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13957 of 2017

Arising Out of PS.Case No. -43 Year- 2016 Thana -MOTIHARI RAIL P.S. District-
WESTCHAMPARAN(BETTIAH)

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1. Gullu Mian, Son of Azam Ahmad, resident of Mohalla- Kalibag, Police
Station- Bettiah Town, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. B.K. Mishra

For the Opposite Party/s : Smt Sangeeta Sharma

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 27-03-2017 The petitioner is in custody since 15.11.2016 in
connection with Trial No. 946 of 2017, arising out of Motihari
Rail P.S. Case No. 43 of 2016, registered for offences punishable
under Sections 401/34 of Indian Penal Code.

It has been submitted on behalf of the petitioner that only
allegation against the petitioner is that on seeing the police party
he started fleeing away, for which he has been apprehended in this
case. Nothing has been recovered from the conscious possession
of the petitioner and he has been in judicial custody since
15.11.2016.

Heard learned A.P.P. also.

Having heard both sides, in view of the fact that no
specific allegation has been made against the petitioner and only
allegation against the petitioner that on seeing the police party, he
started fleeing away for which he was apprehended and petitioner



has remained in custody for more than four months, as such, let petitioner, above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Railway, Bettiah, District – West Champaran, in connection with Trial No. 946 of 2017 arising out of Motihari Rail P.S. Case No. 43 of 2016, 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 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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