

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31397 of 2017

Arising Out of PS.Case No. -347 Year- 2016 Thana -BHAGWAN BAZAR District- SARAN

- =====
1. Raja Mian, Son of Roshan Mian, Resident of Village- Kopa Pachhim Tola, Kopa, District- Saran.
 2. Raju @ Basir Ansari, Son of Sagir Ansari @ Duban Ansari @ Sagir Miyan, Resident of Kopa Dakhin Tola, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar Tiwary

For the Opposite Party/s : Sri Asharaf Ansari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 19-07-2017

This appeal is for grant of regular bail in connection with S.Tr. No. 123 of 2017, arising out of Bagwan Bazar P.S. Case No. 347 of 2016 registered for the offence(s) under section(s) 401 and 399 of the Indian Penal Code.

The petitioners are not named in the FIR. Allegation is that petitioners were arrested at the time when they were planning to commit dacoity.

Submission of the learned counsel for the petitioners is that no incriminating material has been recovered from the possession of the petitioners except one Daggar, which has been recovered from the possession of petitioner no. 2 and they are in custody for more than seven months.

Heard learned Additional Public Prosecutor also.

Having heard both sides and in view of the facts and



circumstances, as stated above, this application is allowed.

Let the appellants, above named, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rs. Twenty five thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-X, Saran in connection with S.Tr. No. 123 of 2017, arising out of Bagwan Bazar P.S. Case No. 347 of 2016, subject to the following conditions:-

- (i) One of the bailors of the appellants shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The appellants will not induce any witness or tamper with the evidence.
- (iii) The appellants shall cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on their part to appear before the court below on two consecutive dates without showing any genuine rhyme or reasons, the prosecution will have liberty to move for cancellation of their bail.
- (iv) If the petitioners' involvement is found, in future, in similar type of case, their bail bond shall be cancelled.

(Vinod Kumar Sinha, J)

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