

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49438 of 2017

Arising Out of PS.Case No. -61 Year- 2015 Thana -LAKHNAUR District- MADHUBANI

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NAYEEM NADAF @ MD. NAYEEM NADAF @ MD. NAYEEM S/o
Nathuni Nadaf, R/o Village- Kamla Bari, P.S.- Jai Nagar, District-
Madhubani Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner : Mr. Gagan Deo Yadav, Advocate

For the Opposite Party : Mr. Md. Ashlam Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 17-10-2017 Counsel for the petitioner and the State are present.

Petitioner is an accused in a case registered for offence under sections 396 and 397 of the IPC. FIR is against unknown alleging that in the night some miscreants came to his house, resorted to assault and robbed gold silver and other ornaments.

Counsel for the petitioner submits that having been implicated in Samastipur Police Station Case No. 213 of 2015, confessional statement of the petitioner has been obtained in connection with the instant case. He submits that on basis of such confessional statement obtained from him in custody, the petitioner has been implicated in this case. He submits that nothing incriminating has been recovered from his possession to connect him with the said occurrence. Till date, he has not been put on TIP. In paragraph 3 of the bail petition, the petitioner has stated that except the instant case and Samastipur Police Station Case No. 213 of 2015, he has not been implicated in any other case.

In the facts of the case, the bail application is allowed.
Let the petitioner as mentioned above be released on bail on



furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Jhanjharpur, Madhubani in Lakhanaur (RSOP) Police Station Case No. 61 of 2015 on the following conditions:-

(a) One of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with him. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(b) The petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse.

(c) The petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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