

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24887 of 2018

Arising Out of PS.Case No. -165 Year- 2017 Thana -BAHADURGАНJ District- KISANGANJ

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1. Md. Arif @ Arif, S/o Tahir Hussain, R/o Village- Mirdhandangi, Jauta Hat, P.S.- Bahadurganj, District- Kishanganj.
 2. Md. Salim @ Md. Salimuddin @ Salim, S/o Late Jamsuddin, r/o Shameshwar, P.S.- Bahadurganj, District- Kishanganj.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Diwakar Sinha, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh 1

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 03-05-2018 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are in custody since 23.1.2018 in connection with Bahadurganj P.S. Case No.165 of 2017 for the offences alleged under Section 379 of the Indian Penal Code.

3. It is submitted that the petitioners have been falsely implicated merely on the self confessional statement of the petitioner, which has no evidentiary value except self statement there is no other material. Petitioners have not been put on T.I. Parade. The petitioners are not named in the present case but they have been made accused in other case in which they are on bail.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioners above



named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount leach to the satisfaction of learned Chief Judicial Magistrate, Kishanganj, in connection with Bahadurganj P.S. case No.165 of 2017, on the following conditions :

(i) That one of the bailors of each of the petitioners shall be their close relatives.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

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