

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65697 of 2018

Arising Out of PS.Case No. -648 Year- 2016 Thana -ARARIA District- ARRARIA

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1. Md. Mithu Son of Qaiyum @ Kaiyum Ansari
2. Md. Salam Son of Alim @ Md. Aleem Ansari Both are Residents of
Village Baigachhi Momin tola, Police Station-Araria, Baigachhi (O.P.),
District- Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Adv.

For the Opposite Party/s : Mr. Madhuranand Jha, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 06-11-2018 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Petitioners seek bail in Araria P.S. Case No. 648/2016
(G.R.No. 3181/16), registered for the offences punishable under
Section 379 of the Indian Penal Code. Later on, section 411 of the
Indian Penal Code was added.

Allegation is of committing theft of motorcycle.

It has been submitted that petitioners have falsely been
implicated in this case. F.I.R. is against unknown. Nothing has
been recovered from the possession of petitioners. Name of
petitioners has surfaced in this case on the confession of co-
accused Md. Shazad @ Sahzad who has been granted bail vide



order dated 12.04.2017 passed in Cr. Misc. No. 16973/2017.

Petitioners are in custody since 16.07.2018.

Considering the facts aforesaid, the petitioners above-named, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate V, Araria in connection with Araria P.S. Case No. 648/2016 (G.R. No. 3181/16), subject to the conditions:

- (1.) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2.) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.
- (3.) If the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(S. Kumar, J)

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