

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68807 of 2018

Arising Out of PS. Case No.-581 Year-2017 Thana- BAGHA District- West Champaran

Md. Sabir, S/o Md. Naeem, R/o Village- Mohammadpur Mubarak, P.S.-
Maniyari, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jyotsna Rani Mishra

For the Opposite Party/s : Ms. Renu Kumari

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 03-12-2018

Heard learned counsel for the parties.

Petitioner seeks bail in Bagaha (Bhairogani) P.S.

Case No.581/17 registered for the offence punishable under
Sections 392 and 328 of the Indian Penal Code.

Informant is a truck driver who has stated in his
written complaint that he was coming with truck with goods
loaded on it and suddenly four unknown persons intercepted his
truck by a pick up van and overpowered by Arms. Thereafter,
he was administered some drug as a result of which, he became
unconscious and when he regained his consciousness, he found
himself in hospital at Motihari.

It has been submitted on behalf of the petitioner that
he has been arrested only on the basis of suspicion and
confession made by the co-accused and there is no incriminating
material against him except confession of co-accused. Nothing



has been recovered from his possession and co-accused, Rahul and Md. Jabir have been granted bail by a co-ordinate Bench of this Court in Criminal Miscellaneous No.64889 of 2018 by order dated 05.11.2018 and his case is also similarly placed.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st Bagaha, West Champaran in connection with Bagaha (Bhairoganj) P.S. Case No.581/17, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court.

(3) If the petitioner tampers 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 petitioner.

(S. Kumar, J)

Sanjay/-

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