

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47380 of 2018

Arising Out of PS.Case No. -85 Year- 2018 Thana -PAHARPUR District- EASTCHAMPARAN
(MOTIHARI)

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1. Md. Rafi S/o Sayed Nazir Hussain R/o Village -Sonawal Dakshin Patti,
P.S. - Paharpur, District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar

For the Opposite Party/s : Mr. Sri Pranav Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 20-09-2018 Heard the parties.

The petitioner seeks regular bail in connection with Paharpur P.S.Case No.85/18 registered for offences punishable under Sections 379, 411, 414 and 413 of the Indian Penal Code.

Allegation against the petitioner and others is that while they were snatching the mobile from the informant they were arrested by the villagers on spot.

Submission of the learned counsel for the petitioner is that there is no recovery from his conscious possession and another co-accused person has been granted bail by a Co-ordinate Bench of this Court, who has also been arrested at the spot, vide order dated 1.8.2018 passed in Cr. Misc. No.46994 of 2018. The petitioner is in custody since 4.4.2018. He is accused in only one another case.



Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of CJM, East Champaran, Motihari in connection with Paharpur P.S.Case nO.85 of 2018.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and in the event of failure to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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