

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58108 of 2018

Arising Out of PS.Case No. -385 Year- 2017 Thana -BAGHA District-
WESTCHAMPARAN(BETTIAH)

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1. Md. Sabir, S/o Md. Gulab, resident of Village- Hassanchak Bangara,
P.S. Sadar Muzaffarpur District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arbind Kumar Singh

For the Opposite Party/s : Mr. Sri Chandrasen Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 20-11-2018 Heard the parties.

The petitioner seeks regular bail in connection with Bagaha
P.S.Case No.385 of 2017 registered for offences punishable under
Section 395 of the Indian Penal Code.

Allegation against the petitioner as per FIR is that while the
informant was going by Pick Up Van he was called by some
miscreants and the Pick Up Van was taken away. The petitioner is
not named in the FIR.

Submission of the learned counsel for the petitioner is that
during the course of investigation on the self-statement the
petitioner has been made accused though there is nothing against
him. He is accused in four other cases but he is on bail and in all
the cases he was named on the confessional statement. Further



submission is that the petitioner is in custody since 6.6.2018.

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 the learned ACJM, Bagaha in connection with Bagaha P.S.Case NO.385 of 2017 dated 1.8.2017.

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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