

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70601 of 2018

Arising Out of PS. Case No.-115 Year-2017 Thana- HAJIPUR District- Vaishali

Md. Miraj, Son of Abdul Wahav Resident of Hazipur Pokhara, P.S. Town
District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niranjan Parihar

For the Opposite Party/s : Mr. Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 12-12-2018

Heard learned counsel for the parties.

Petitioner seeks bail in Hajipur Town P.S. Case
No.115/17 registered for the offence punishable under Sections
341, 323, 382, 395, 412/34 of the Indian Penal Code.

Informant in his written complaint has stated that after
returning to his house after attending Tilak ceremony in
Muzaffarpur he parked his vehicle near his house and thereafter
four unknown criminals on the strength of pistol looted
ornaments of his wife and the informant suspected that his co-
villagers Satyendra Singh along with Prakash Kumar and four
unidentified criminals are behind this criminal act.

It has been submitted on behalf of the petitioner that
he has been falsely implicated in this case on the basis of
confession made by one of the co-accused, Bipin Kumar and



except said confession, there is no other incriminating material against the petitioner. Nothing has been recovered from the possession of the petitioner and similarly placed two accused Ramji Raja @ Raja and Dharmendra Kumar @ D.K. have already been granted bail by coordinate Benches of this Court vide order dated 30.07.2018 passed in Cr. Misc. No.45602 of 2018 and order dated 31.10.2018 passed in Cr. Misc. No.59369 of 2018 respectively.

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 C.J.M., Vaishali at Hajipur in connection with Hajipur Town P.S. Case No. 115 of 2017 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 properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(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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