

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55309 of 2018

Arising Out of PS.Case No. -14 Year- 2018 Thana -MIRGANJ District- PURNIA

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1. Hasibur Rahman @ Md. Habibur Rahman, S/o Muntaj ali, Resident of Village- Alimuddin Sarder Tola, Uttar Dariyapur, P.S. Kaliachak, District- Maldah (West Bengal).

2. Shekh Kaiom @ Kaiom Shekh, S/o Akhnu Sk., Resident of village- Nabinagar, P.S. Kaliachak, District- Maldah (W.B.).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Nafisuzzoha, Adv
For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 08-10-2018 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 414 428, 429, 34 IPC registered in connection with Mirganj P.S. Case No. 14/2018.

3. It is submitted that the petitioners have been falsely implicated merely because they happen to be the drivers of the concerned vehicle. Similarly situated co-accused Md. Gulam Murtuza @ Md. Golam Martuza and Hassan Alam @ Md. Hasan Alam, who are owners of the vehicles in question have been granted bail by this Court in Cr. Misc No. 34651 of 2018. The petitioners claim clean antecedents.

4. Having regard to the entirety of the facts and circumstances, as such, in the event of the petitioners arrest or surrender before the court below within six weeks from the date of



communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned ACJM Ist, Purnea, in connection with Mirganj P.S. Case No. 14/2018 subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioners.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall co-operate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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