

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31524 of 2018

Arising Out of PS.Case No. -282 Year- 2017 Thana -GIRIYAK District- NALANDA
(BIHARSHARIFF)

=====

Suleman Sheikh S/o Halim Sheikh, R/o Chinakurhi 3 No.- P.S. Niyamatpur
I/C Kutti District- Bardhman (West Bengal).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar

For the Opposite Party/s : Mr. Sri Sanjay Kumar Singh

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 12-07-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Giriyak (Katrisarai) P.S. Case No.282 of 2017 registered for the
offences punishable under Sections 363 and 365 of the Indian
Penal Code.

The son of informant had gone to Asansol to collect
due amount from Deo Manjhi in the morning of 13.08.2017 but
his son did not return. The son of informant got traceless and his
mobile has been switched off. The informant has apprehension
that the said Deo Manjhi might have committed some mischief to
the life of his son.

It has been submitted that the petitioner is neither



named in the F.I.R. nor there is any material against him in the case-diary. In course of investigation, it was disclosed that the son of informant had one more mobile in his possession which was seized from the shop of Shamsheer Ansari. On interrogation, the said Shamsheer Ansari disclosed that this petitioner had given him the said mobile on 18.08.2017 for repairing and since then this petitioner did not come back to receive the said mobile. The said mobile was used by inserting another SIM belonging to Ayub Ansari. This petitioner has no concern with the said Ayub Ansari. The petitioner had neither given the said mobile to the shopkeeper Shamsheer Ansari nor he has any concern with the son of informant or any other person connected with the money transaction. The petitioner is in custody since 26.01.2017 having clean antecedent.

The learned A.P.P. for the State opposed the submission.

Considering the facts and circumstances of the case, the prayer of bail is allowed. The petitioner, named above, is directed to 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 A.C.J.M. 1st, Nalanda at Bihar Sharif in connection with Giriyak (Katarisarai) P.S. Case No.282 of



2017, subject to the 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) If the petitioner is found involved in future in similar type of allegation, the prosecution will have liberty to move for cancellation of bail.
- (iv) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part 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.

(Sanjay Kumar, J)

Harish/-

U			
---	--	--	--

