

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44567 of 2018

Arising Out of PS.Case No. -24 Year- 2018 Thana -BALIGAON District- VAISHALI(HAJIPUR)

- =====
1. Shamsh Kamain @ Md. Kamain @ Md. Kanain, Son of Md. Dulare, Resident of Village- Amamori Kabhai, P.S.- Patepur, District- Vaishali.
 2. Md. Mehrab Alam alias Mehrab, Son of Md. Shamim, Resident of Village- Ahmadpur, P.S.- Baligaon, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar

For the Opposite Party/s : Mr. Sri Humayou Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 25-08-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Baligaon P.S.Case no.24 of 2018 , registered for offences punishable under Section 379 of the Indian Penal Code.

Petitioner is not named in the FIR. The case is under Section 379 of the IPC.

Submission of the learned counsel for the petitioners is that he has no criminal antecedent and nothing has been recovered from his possession.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above , let the petitioners, above named,



in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM-XII, Vaishali at Hajipur in connection with Baligaon P.S.Case No.24 of 2018 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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