

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74223 of 2018

Arising Out of PS. Case No.-82 Year-2018 Thana- SASARAM RAIL P.S. District- Gaya

Akhatar Hussain @ Md. Akhatar Hussain S/o Shafik Khalifa, Resident of
Idgah Mohalla, Ward no.23, P.S.-Dehri Town, District-Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate

For the Opposite Party/s : Mr. Sri Jagdhar Prasad (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 13-12-2018 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Sasaram (Dehri) Rail P.S. Case No. 82 of 2018
registered for the offences punishable under Sections 414 of the
Indian Penal Code and Section 147 of the Railway Act.

Allegation against petitioner is recovery of three
mobiles and a ring from his possession.

It has been submitted on behalf of the petitioner
that he is innocent and has committed no offence. He has been
falsely implicated in this case merely on suspicion. Nothing
incriminating article has been recovered from the possession of
the petitioner. Petitioner is in custody since 08.08.2018.

Considering the aforesaid fact and circumstances of



the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Railway Magistrate, Railway Court, Gaya, in connection with Sasaram (Dehri) Rail P.S. Case No. 82 of 2018, subject to 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 Court and his absence on two consecutive dates without sufficient reasons, 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.

Rajiv/Manoj

(S. Kumar, J)

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