

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31555 of 2018

Arising Out of PS.Case No. -530 Year- 2018 Thana -SA SARAM NAGAR District- SASARAM
(ROHTAS)

- =====
- 1.Salya Khatoon wife of Gulam Nabi Resident of Village - Akashi, P.S. - Agrer, District - Rohtas, Presently residing at Takiya Bazar, P.S. - Sasaram Model, District - Rohtas.
- 2.Najma Begum wife of Sarfuddin @ Sarfuddin Ansari Resident of Village & P.S. - Saiyed Raja, District Chandauli, Presently residing at Moh. - Takiya Bazar, Ward No. - 01, P.S. - Sasaram (Model), District - Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Binod Bihari Sinha

For the Opposite Party/s : Sri Nagendra Prasad

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

- 3 09-07-2018 Heard learned counsels for the petitioners, informant and learned Additional Public Prosecutor for the State.

The petitioners seek bail in connection with Model Police Station Case No. 530 of 2018 registered for an offence punishable under section 379 of the Indian Penal Code.

The informant, in his written report, has alleged that on the date of occurrence when he came to open his shop, these petitioners reached there and on the plea of purchasing ornaments asked for his mobile number. When the informant was writing mobile number, the co-accused who is son of petitioner nos. 1, stealthily took away his bag containing ornaments with the help of



these petitioners.

It has been submitted that these petitioners were apprehended at the spot, but nothing was recovered from their possession. The son of petitioner no. 1 was also apprehended immediately thereafter but nothing was recovered from his possession. There is no eye-witness to the occurrence. These petitioners are acquainted with the informant since long and they used to purchase ornaments from there. The learned counsel in support of his contention, has filed receipts showing purchase of ornaments from the shop of informant. He further submits that the details of ornaments mentioned in the written report are vague. The petitioners are in custody since 28.03.2018 having clean antecedent and so they deserve bail.

The learned Additional Public Prosecutor, on the other hand, opposed the submission. It is submitted that the son of petitioner was identified while taking away the ornaments from the place of informant which appeared after opening the CCTV footage installed in an adjoining medicine shop.

Considering the facts and circumstances of the case, the prayer for bail of the petitioners who are in custody since 28.03.2018 is allowed and they are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- each with two sureties of



the like amount each to the satisfaction of Chief Judicial
Magistrate, Rohtas, subject to the 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 cooperate in the disposal of trial and make themselves available as and when required by the court.

(Sanjay Kumar, J)

Mahesh/-

U		T	
---	--	---	--

