

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9958 of 2019

Arising Out of PS. Case No.-17 Year-2018 Thana- JOGBANI District- Araria

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1. MD. SAMSHAD S/o Md. Yusuf @ Yusuf, aged about 38 years, Male, R/o village - Takia Basti, Ward No.18, Dakshin Maheswari, P.S-Jogbani, Distt.-Araria.
 2. Chandan Kumar Razak @ Chandan Razak @ Kundan Kumar Razak S/o Jamun Razak, aged about 32 years, male, R/o village -Bheryari Ward No.19, P.S-Jogbani, Distt.-Araria. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Kumar Singh

For the Opposite Party/s : Mr.Ramesh Chandra

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 19-02-2019

Heard learned counsel for the parties.

Petitioners seek bail in Jogbani P.S. Case No. **17 of 2018** registered for the offence punishable under Sections 392 of the Indian Penal Code.

Informant has alleged in his fardbeyan that on 22.01.2018 when he was returning from the Bank after collecting the money, three motorcycle borne criminals overpowered him and snatched away his bag containing Rs.1,58,582.00/- and valuable articles. The miscreants also snatched his purse, Adhaar card, I card, mobile and his motorcycle and thereafter they fled away.

It has been submitted on behalf of the petitioners that they are innocent and have been falsely implicated in this case only on suspicion. They are not named in FIR. Petitioners have



got no criminal antecedent and are in custody since 10.11.2018. Similarly, situated co-accused persons have been granted bail vide order dated 04.09.2018 passed in Cr. Misc. No.54540 of 2018 and order dated 28.06.2018 passed in Cr. Misc. No.36071 of 2018.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1, Araria in connection with Jogbani P.S. Case No. 17 of 2018, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners 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 the Court and their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the court below.

(3) If the petitioners tamper 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 petitioners.

(S. Kumar, J)

Sanjay/-

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