

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78279 of 2018

Arising Out of PS. Case No.-386 Year-2016 Thana- FORBESGANJ District- Araria

Aslam @ Fichcha @ Usman S/O Late Samid @ Sarif Resident of Village
Pipraghat, Tappu Tola, P.S. Jogbani District Araria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Prasad Singh

For the Opposite Party/s : Ms. Renuka Ratnakar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 17-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Forbesganj P.S. Case No.
386/16 registered for the offence punishable under Sections 395
of the Indian Penal Code.

Informant has alleged that after collecting money from
one Nand Kishor Gupta, when he was about to proceed from
there, five miscreants borne on two motorcycles came and
snatched away Rs.60,000/- from him on the strength of pistol.

It has been submitted on behalf of the petitioner that
he is innocent and has falsely been implicated in this case. It
has been submitted that name of the petitioner has surfaced in
this case on the confessional statement made by the co-accused
Rahmat Ali and except said confessional statement, there is no
any other incriminating material against the petitioner.



Similarly placed co-accused Rahmat Ali has already been granted bail by a co-ordinate Bench of this Court vide order dated 16.05.2018 passed in Cr. Misc. No.29142 of 2018. Petitioner is in custody since 16.05.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned C.J.M., Araria in connection with Forbesganj P.S. Case No. 386/16, with following 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 the Court and his absence on two consecutive dates without sufficient reason, 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.

(S. Kumar, J)

Sanjay/-

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