

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78512 of 2018

Arising Out of PS. Case No.-22 Year-2017 Thana- GHOGHARDIHA District- Madhubani

Md. Ismail @ Ismail, S/o Late Suleman, R/o Village-Bela Sijar Moti, P.S.-
Nirmali, District- Supaul

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar

For the Opposite Party/s : Mr.Sri Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 05-02-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Ghoghardiha P.S. Case No. 22 of 2017
registered for the offences punishable under Section 394 of the
Indian Penal Code.

Informant has alleged that three unknown
miscreants on a motorcycle intercepted him while he was
going on his motorcycle and snatched away Rs. 5,600/- and
mobile and his motorcycle from his possession on the strength
of arms and fled away.

It has been submitted on behalf of the petitioner
that he has been made accused on the basis of self-confession
and confession of co-accused Noor Maohammad and Md.
Shamsad, who have already been granted bail by the court



below itself. Petitioner is in custody since 30.10.2017 and nothing has been recovered from his possession nor he has been subject to any T.I.P.

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 A.C.J.M., Jhanjharpur, in connection with Ghoghardiha P.S. Case No. 22 of 2017, 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/-

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(S. Kumar, J)

