

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70314 of 2018

Arising Out of PS. Case No.-44 Year-2018 Thana- SASARAM MUFFSIL District- Rohtas

1. Shamsher Ansari
 2. Rafi Ansari
 3. Hesamudeen Ansari
- All sons of Murtuza Ansari Resident of Village-Kari Gaon, Police Station-Mohaniya, District of Kaimur Bhabhua.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Manoj Kumar, Advocate
For the Informant	:	Mr. Agreya Pratap
		Mr. Manish Kumar No. 2, Advocates
For the State	:	Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 28-02-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Section 302/34 of the Indian Penal Code registered in connection with Sasaram Muffasil P.S. Case No. 44 of 2018.

3. It is submitted that the petitioners have been falsely implicated merely because they happen to be brothers of co-accused Faiyaz Alam and except mere suspicion, there is no material to connect the petitioners with the alleged occurrence. No specific accusation of any overt act has been made against these petitioners except their names in the FIR. Co-accused Faiyaz Alam, who was last seen with the deceased, has been granted bail by a coordinate Bench of this Court vide order dated 10.01.2019 passed in Cr. Misc. No. 72259 of 2018.

4. Learned APP assisted by learned counsel for the informant appears and has been heard.



5. Be that as it may, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Sasaram, Rohtas in connection with Sasaram Muffasil P.S. Case No. 44 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and with further conditions --

(i) That one of the bailors of each of the petitioners shall be their close relatives.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(iv) That the petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

BT/-

(Vikash Jain, J)

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