

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48824 of 2019

Arising Out of PS. Case No.-678 Year-2018 Thana- SHERGHATI District- Gaya

MD. SHADAB SAIF @ SADAF SAIF @ SHADAB SAIF, Son of Late Md. Ibrahim @ Chandu Mian @ Ibrahim Resident of Mohalla- Maulvi Ganj, P.S.- Sherghati, District- Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Uday Pratap Singh

For the Opposite Party/s : Mr.Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 06-08-2019 Petitioner seeks bail in anticipation of his arrest in connection with Sherghati P.S. Case No. 678 of 2018 registered for the offences punishable under Sections 379, 511 and 401 of the Indian Penal Code.

Prosecution story is that police on patrolling saw two persons on the road and seeing the police party they tried to flee away but one of them was arrested, who disclosed the name of the petitioner and other accused persons and further disclosed that they were cutting the A.T.M. of H.D.F.C. Bank.

Submission of learned counsel for the petitioner is that except confessional statement there is nothing against him and he has no criminal antecedent. It is also submitted that co-accused has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 31.7.2019 passed in Cr.Misc.No. 19888 of 2019.



Heard learned APP also.

In view of above facts and circumstances, let petitioner surrender and on surrender he shall be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the S.D.J.M., Sherghati (Gaya), in connection with Sherghati P.S. Case No. 678 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and further condition is that one of the bailors of the petitioner shall be a local person having sufficient immoveable property within the jurisdiction of the court concerned.

It is made clear that before releasing the petitioner the court below shall verify the criminal antecedent of the petitioner and if petitioner has criminal antecedent, this order will not be given effect to.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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