

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79999 of 2019

Arising Out of PS. Case No.-47 Year-2016 Thana- SHERGHATI District- Gaya

ABBAS MIAN @ ABBAS ALI @ AVAS MIYAN, Son of Late Sadur Mian
@ Sukur Miyan, Resident of Village - Peksa, P.S.- Gidhour, Distt.- Chatra
(Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha

For the Opposite Party/s : Mr.Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 09-12-2019 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the
offence punishable under Section 395 of the Indian Penal
Code.

Informant has alleged that he is driver of the truck
and while he was coming on his truck loaded with 333 bags
of wheat along with co-driver, six persons stopped his truck
and, thereafter, overpowered them on the strength of arms and
took away the truck along with goods.

It has been submitted that petitioner is not named in
the FIR and nothing has been recovered from his possession



and the looted truck was subsequently recovered with 105 bags of wheat. It has further been submitted that name of the petitioner has surfaced in this case on the basis of confessional statement made by one co-accused and except said confessional statement, there is no any other incriminating material against the petitioner. Petitioner is in custody since 27.06.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Sherghati (Dobhi) P.S. Case No. 47 of 2016 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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