

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18947 of 2020

Arising Out of PS. Case No.-16 Year-2020 Thana- DARBHANGA RAIL P.S. District-
Samastipur

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1. AADIL SHEIKH, Son of Md. Rijvan Sheikh @ Md. Rijvan, Resident of Village - Husaini Bazar Sakari, P.S.- Sakari, Distt.- Madhubani.
 2. Depesh Kumar Sah, Son of Shyam Sah @ Shyam Kumar Sah, Resident of Village - Sakari Brahampur, ward no.-11, P.S.- Manigachhi, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Yadav, Adv.
For the Opposite Party/s : Mr.Choubey Jawahar (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 09-06-2020 The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.

Heard learned counsel for the petitioners and learned counsel for the State.

Petitioners, who are in custody, seek bail in a case registered for the offence punishable under Sections 401/34 of the Indian Penal Code.

Allegation is recovery of one lighter pistol like steel fiber, one charger and two blade from the possession of the petitioners.

It has been submitted on behalf of the petitioners that



they are innocent and have been falsely implicated in this case due to suspicion. Nothing was recovered from their possession. Petitioner no.1 has no criminal antecedent whereas petitioner no.2 is involved in one criminal case (Manigachhi P.S. Case No. 186 of 2019) in which he is on bail except this there is nothing against this petitioner. Petitioners are in custody since 30.01.2020.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bonds of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Darbhanga (Jainagar) Rail P.S. Case No. 16 of 2020 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and their absence on two consecutive dates without proper and sufficient reason the trial court will



be at liberty to cancel their bail bonds.

(3) If the petitioners 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 petitioners.

(S. Kumar, J)

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