

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 35780 of 2014

Arising out of P. S. Case No. - 164 Year - 2014 Thana - FATUHA District - PATNA

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1. Md. Afroz, Son of Md. Shamim, Resident of Badi Masjid, Police
Station - Alamganj, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Asgher Najmi, Advocate

For the Opposite Party/s : Mr. H. A. Khan, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

5 27-01-2015

Supplementary affidavit filed today on behalf of the petitioner

be kept on record.

Heard learned counsel for the Petitioner and the State.

The Petitioner seeks bail in a case instituted for the offences under Section 399/402 of the Indian Penal Code, Sections 25(1-b)a/26/35 of the Arms Act, Section 34 of the Explosive Substance Act as well as Section 20/22 of the Narcotic Drugs and Psychotropic Substances Act.

Considering the nature of arms which were recovered from the possession of the petitioner and the period of custody as also that he was remanded in the next case subsequently and his father undertakes his responsibility, let the petitioner, above named be released on bail on furnishing bail bond of Rs.5,000/- (Five Thousand) with two sureties of the like amount each or any other surety as fixed by the Court to the satisfaction of Sessions Judge, Patna in connection with Fatwah P.S. Case No. 164 of 2014, Special Case No. 43 of 2014 subject to the following conditions:- (i) That one of the bailors will be a close relative of the Petitioner who will give an affidavit giving genealogy as

to how he is related with the Petitioner and the other bailor shall be the father of the Petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioner. (ii) That the bailor shall also state on affidavit that he will inform the Ccourt concerned if the Petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse. (iii) That the Petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse. (iv) That the Petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Anjana Prakash, J.)

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