

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49627 of 2014

Arising Out of PS.Case No. -265 Year- 2013 Thana -GOPALGANJ CITY District- GOPALGANJ

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Rafi Ahmad @ Rafi Alam, Son of Manzoor Alam, Resident of Village -
Barari Jagdish, P.S. - Uchkagaon, District - Gopalganj

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mohammad Sufyan

For the Opposite Party/s : Mr. Iftekhar Mahmood, Addl.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 03-03-2015

Heard.

The petitioner seeks bail in a criminal prosecution registered under Sections 399/402 and some other allied offences under the Indian Penal Code as also under Section 25(1-B) (a)/26/35 and 27 of the Arms Act.

Taking into consideration the fact that the petitioner was not apprehended on the spot and is in judicial custody since 18.05.2014 and further taking into consideration the fact that the co-accused Farman Ali, who was apprehended on the spot, has already been granted bail by a Bench of this Court vide order dated 16.06.2014 passed in Cr.Misc.No.14427 of 2014, his prayer for bail is allowed. The petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.25,000/- with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj in connection with Gopalganj P.S.Case No.265 of 2013, subject to the conditions that:

- (a) Both the bailors shall be the parents of the petitioner,
- (b) if the petitioner is found involved in same and similar

nature of cases in future, then in that case the informant/prosecution shall be at liberty to file a petition for cancellation of bail of the petitioner, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving opportunity of hearing to all concerned;

- (c) the petitioner shall make regular pairvi in the court below in the present case either by appearing himself in person or through representation by his lawyer on each and every date, and if on two consecutive dates petitioner fails to make pairvi, then the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Prasad Verma, J)

Arvind/-

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