

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49188 of 2015

Arising Out of PS.Case No. -265 Year- 2012 Thana -AJAMNAGAR District- KATIHAR

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1. Muzaffar Naim @ Wasif Son of Late Haji Gholam Mustafa resident of
village - Sihpur, P.S. Azamnagar, District - Katihar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Helal Ahmad

For the Opposite Party/s : Mr. Dr.Rabindra Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 04-11-2015

Heard learned counsel for the petitioner and the State.

In this case, petitioner is seeking bail in Azam Nagar
P.S.Case No. 265 of 2012 registered u/s 341, 323, 384, 386, 379,
504/34 IPC and 27 of the Arms Act.

In this case allegation has been made that the
informant had lifted grain under different schemes of the Central
Government and was carrying away in three tractors. Petitioner
and his henchmen had intercepted and taken them to their house.
It has further been alleged that the henchmen of petitioner had
forcibly looted thirty-one bags of grain which was informed by the
driver of the tractor. Petitioner is in custody since 21st July 2015.

Looking to the nature of allegation, petitioner
Muzaffar Naim @ Wasif is directed to be enlarged on bail on

furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Katihar in connection with Azam Nagar P.S.Case No. 265 of 2012, subject to the conditions that :

(i) one of the bailors will father, mother or wife of the petitioner,

(ii) if the petitioner would be found involved in similar type of case in future, prosecution will be at liberty to file application for cancellation of bail and the court below will pass necessary order, including cancellation of bail bonds, and

(iii) the petitioner would co-operate and if the petitioner will fail to co-operate in the proceeding of the court and will remain absent for two consecutive dates without reasonable explanation, the court will pass appropriate order, including cancellation of bail bonds.

iv) The petitioner would report to the nearest Police Station on each and every month, within 7th day, in failure, the order of granting bail will be treated to be withdrawn.

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(Shivaji Pandey, J)