

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41747 of 2016

Arising Out of PS.Case No. -124 Year- 2015 Thana -BELSAND District- SITAMARHI

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1. Md. Murtuza S/o Md. Mojib Resident of Village Hussaina PS Sitamarhi
District Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar

For the Opposite Party/s : Mr. Sri Humayou Ahmad Khan

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 06-10-2016 Heard the learned counsel for the petitioner as well as

the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences punishable under sections 399, 402 and 120 B/34 of the I.P.C, section 34 of the Explosive Substance Act and sections 25 (1-b) a, 26 and 35 of the Arms Act.

The petitioner was neither caught at the spot nor anything was recovered from his conscious possession and it appears that the name of the petitioner came in this case in the confessional statement of co-accused who was arrested at the spot and one of the co-accused Chhote Ram @ Chhotan Ram who was arrested at the spot has already been allowed bail vide Cr. Misc. No. 7534 of 2016 by another co-ordinate Bench of this Court.

In the facts and circumstances as stated above, the petitioner is also directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M. Sitamarhi in Belsand P.S. Case No. 124 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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