

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53021 of 2016

Arising Out of PS.Case No. -7 Year- 2016 Thana -BALIA District- BEGUSARAI

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1. Md. Najmul Hoda @ Najmul Hoda Son of Md. Gani Sipahi Resident of village - Mushkipur, P.S. - Gogri (Jamalpur), District - Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Mr. Sri Ram Sumiran Roy

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 20-12-2016

Learned counsel for the petitioner is permitted to make necessary correction in para 3 of his petition stating the criminal antecedent of the petitioner.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is in judicial custody since 08.01.2016 in connection with Ballia P.S.Case No. 07 of 2016 for offences alleged under Sections 25(1-b)a/26 and 35 of Arms Act.

The prosecution case, as lodged by the police personnel is that during checking they apprehended two persons and from the possession of .the petitioner seven live cartridges were found. Accordingly, seizure list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent and has falsely been implicated in the aforesaid case. He submits that the charge sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State submits that



the petitioner is named in the FIR, hence, opposes the prayer for bail.

Be that as it may, considering the facts and circumstances and submissions of the parties and considering the nature of allegation and period of custody, let the above named petitioner be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Begusarai, in connection with Ballia P.S.Case No. 07 of 2016, subject to the conditions that one of the bailaors must be a close relative and the other baialor must have sufficient property within the jurisdiction of the court concerned/ police station and that the petitioner must appear before the court below during trial on each and every date and on failure to appear on two consecutive dates without assigning any reason will be liable for cancellation of his bail bonds.

(Nilu Agrawal, J)

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