

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36334 of 2016

Arising Out of PS.Case No. -68 Year- 2016 Thana -RAFIGANJ District- AURANGABAD

1. Aslam Khan @ Raja S/o Moinuddin Abedin Khan @ Jangli Khan,
resident of Village- Samsabad, P.S- Imamganj, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. S.M.Rahman(App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 23-08-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 399, 402, 120(B) of the Indian
Penal Code, Sections 25(1-b)a, 26, 35 of the Arms Act and
Section 47(A) of Excise Act.

One country made katta and one live cartridge are
said to have been recovered from conscious possession of the
petitioner when petitioner and others had assembled to make
preparation for committing dacoity.

Para-3 of the petition goes to show that altogether 13
cases had been lodged against the petitioner prior to institution of
the present case but submission on behalf of the petitioner is that

almost all the cases had been lodged prior to year 2007 and the present case was lodged at the time of panchayat election and as a matter of fact, nothing had been recovered from conscious possession of the petitioner but police with mala fide intention to detain him in custody implicated the petitioner in the present crime. Moreover, petitioner is in jail custody since 27.04.2016.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Aurangabad in connection with Rafiganj P.S. Case No. 68 of 2016.

(Hemant Kumar Srivastava, J)

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