

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2363 of 2017

Arising Out of PS.Case No. -196 Year- 2016 Thana -RAGHOPUR District- SUPAUL

=====

Md. Naushad Alam, S/o- Md. Jakir Ansari, Resident of Village- Lalpur,
P.S.- Pipra, District- Supaul.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

=====

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

3 14-02-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in connection with Raghopur
P.S. Case No.196 of 2016 registered under Sections 392 and 411
of the Indian Penal Code besides Sections 25(1-B) A, 26 and 35 of
the Arms Act.

The allegation of the informant is that on 26.10.2016 at
about 07.15 P.M., when he was standing in front of his house on
the road, at that time, three boys borne on motorcycle came there
and made query to him about the way of Kurmi Hatiya. In the
meantime, one of the boys, pointed out pistol at the informant and
took his mobile set whereas another boy took Rs.1200/- from his



pocket and, thereafter, all the three boys started to flee away. On raising alarm by the informant, while two boys succeeded to flee away, one boy with the help of villagers was apprehended with the motorcycle, who disclosed his name as Md. Naushad Alam (petitioner) and on his search, one looted mobile set and cash Rs.1200/- of the informant was recovered from his possession. The petitioner was also found in possession of one loaded country made pistol.

Learned counsel appearing on behalf of the petitioner submits that, in fact, the petitioner was going to the residence of his relation passing over the road of the informant. At that time, the petitioner was abused by the informant and there was hot exchange of words in between the petitioner and the informant, due to that reason, the petitioner has falsely been implicated in this case by the informant with the allegation of snatching his mobile set and cash Rs.1200/- and the petitioner was also handed over to the police showing him found in the possession of one loaded country made pistol. The petitioner having no criminal antecedent is in custody since 27.10.2016.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released 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 the Additional Chief Judicial Magistrate, Birpur at Supaul, in connection with Raghapur P.S. Case No.196 of 2016. Out of the two sureties, one must be close relative of the petitioner, who will file an affidavit giving genealogy as to how he/she is related with the petitioner. The bailors will undertake to furnish information to the court about any change in the address of the petitioner.

(Rajendra Kumar Mishra, J)

P.S./-

U		T	
---	--	---	--

