

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19980 of 2017

Arising Out of PS.Case No. -92 Year- 2016 Thana -BHAGALPUR GRP CASE District-
BHAGALPUR

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1. Md. Aftab Alam @ Alam son of Md. Rarukh Resident of Rangkal Gaon
Area Shalimar Paint Police Station - Sakrail, District - Howrah (West
Bengal).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda

For the Opposite Party/s : Mr. Sri Bisheshwar Ram

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 21-06-2017 The petitioner seeks regular bail in connection with

Bhagalpur G.R.P.S. Case No. 92 of 2016 registered for offences

punishable under Sections 25(1-AA)B/25(i) of the Arms Act.

Allegation against the petitioner is that railway police on
patrolling recovered one black bag, in which sixty pieces of semi
constructed pistols were recovered. On enquiry by the passengers,
it transpired that the petitioner has kept the said bag there.

It has been submitted on behalf of the petitioner that he
has falsely been implicated in this case and has nothing to do with
the alleged recovery. Petitioner has been remanded in this case
only because he was earlier arrested in similar type of case.
Further petitioner has been in judicial custody since 13.01.2017.



Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of case, nature of offence and period of custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five) with two sureties of the like amount each to the satisfaction of learned Railway Judicial Magistrate, Bhagalpur, in connection with Bhagalpur G.R.P.S. Case No. 92 of 2016, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.



It is also made clear that if petitioner's active participation is found in similar type of cases, in future, his bail bonds will be cancelled.

(Vinod Kumar Sinha, J)

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