

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15021 of 2018

Arising Out of PS.Case No. -83 Year- 2017 Thana -NARPATGANJ District- ARRARIA

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Azad @ Ajaj Ahmad, son of Md. Kafeel, resident of Village Dargahiganj,
P.S. Narpatganj, District Araria

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Mandal

For the Opposite Party/s : Mr. Jagdhar Prasad

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 15-03-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Narpatganj
P.S. Case No. 83/2017 for offences punishable under Section 395
of the Indian Penal Code.

The prosecution case, as lodged by the driver of
tractor, is that while he was coming after unloading the tractor
along with Khalasi two persons stopped him on the pistol point.
Thereafter ten persons sitting on four motorcycles surrounded
them, who took away the tractor and Rs. 5,000/- from the
informant.

It has been submitted by the learned counsel for the
petitioner that he is innocent, not named in the First Information



Report and his name surfaced on the confessional statement of co-accused Sanjay Paswan, who has since been granted privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 33339 of 2017 vide order dated 20.07.2017. He submits that no T.I. Parade has been done so far, charge-sheet has already been submitted and petitioner is languishing in judicial custody since 12.12.2017.

However, learned APP for the State opposes the prayer for bail stating therein that petitioner does not have a clean antecedent and one more case of similar nature is pending against him.

Considering the facts and circumstances and the materials on record, let petitioner, above named, 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 Chief Judicial Magistrate, Araria, in connection with Narpatganj P.S. Case No. 83/2017, subject to the conditions that:

- (1) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.



(2) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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