

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6410 of 2018

Arising Out of PS.Case No. -687 Year- 2017 Thana -MUZAFFARPUR TOWN District-
MUZAFFARPUR

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Shahbaz @ Raza, S/o Riyasat Khan, Resident of Shukla Road, P.S.-Nagar,
District-Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Pawan Kumar Singh, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 06-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 21.09.2017 in connection with Nagar P.S. Case No. 687 of 2017 for the offences alleged under Sections 399, 402 of the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. It is submitted that the petitioner has been falsely implicated in connection with alleged recovery of incriminating articles from four to five persons including the petitioner. It is submitted however that even according to the seizure list none of the items recovered from the petitioner constitute offence under the Arms Act. The accusations under the penal sections are also denied. The petitioner claims clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur, in



connection with Nagar P.S. Case No. 687 of 2017, on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

Md. Ibrarul/-

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