

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10859 of 2019

Arising Out of PS. Case No.-106 Year-2018 Thana- JHANJHARPUR District- Madhubani

MD. SHABBIR @ MD. SABIR, aged about 36 years, Male, son of Md. Salim, Resident of Village - Mahthor Goth, P.S- Andharamath, Distt.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Bharti

For the Opposite Party/s : Mr.Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 03-04-2019 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 394, 302 and 307 of the Indian Penal Code and Section 27 of the Arms Act.

Informant has alleged that after closing the shop while he was going to the shop of his brother-in-law, three miscreants riding on motorcycle intercepted him and tried to snatch articles from him and he raised alarm, one criminal fired upon him as a result of which, he became injured and they fled away after looting Rs.25,000/- from him. Thereafter, he heard another firing which was made on the father-in-law of his sister who died in the hospital.

F.I.R. is against unknown and name of the petitioner



has surfaced in this case on the confessional statement of Md. Safiullah Sah, who has already been granted bail by a co-ordinate Bench of this Court vide order dated 18.01.2019 passed in Cr. Misc. No.2421 of 2019. It has been submitted that on his confession, one country made pistol was recovered from the possession of the petitioner for which case under Arms Act was registered against him and except that, petitioner has no other criminal antecedent. Petitioner is in custody since 05.10.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Jhanjharpur (Arariya Sagram O.P.) P.S. Case No. 106/2018, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case,



prosecution will be at liberty to move for cancellation of
bail of the petitioner.

(S. Kumar, J)

Sanjay/-

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