

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.840 of 2019**

Arising Out of PS. Case No.-175 Year-2018 Thana- Muzaffarpur Sadar District- Muzaffarpur

Md. Jamiruddin @ Md. Jamruddin @ Md. Jamiruddin Ansari, son of Late  
Md. Khudauddin @ Late Khudauddin, Resident of village- Damodarpur, P.S-  
Kanti, District- Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Alok Kumar Alok, Adv.  
For the Opposite Party/s : Mr. A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR**

ORAL ORDER

3      27-02-2019                      Heard Sri Alok Kumar Alok, learned counsel for the  
petitioner and learned Addl. Public Prosecutor.

This is second attempt for grant of bail on behalf of the petitioner. Earlier, the prayer for bail of petitioner was rejected vide Cr. Misc. No. 48209 of 2018. The petitioner is in custody in Sadar P.S. Case No. 175 of 2018 registered for the offence under Sections 414, 399, 402 of the Indian Penal Code and Sections 25 (1-b) A, 26/35 of the Arms Act.

The main accusation against the petitioner was that a country-made pistol with cartridge was recovered from his possession.

In this case, by order dated 16-01-2019, a report was called for from the court below regarding stage of the case, which has been received and kept at flag 'A'. The report contained in letter no. 28 dated 31-01-2019 makes it clear



that till the date of report, not even a single witness was examined.

Considering the nature of accusation, period of custody as well as the fact that till the date of report, not even a single witness was examined, the Court is of the opinion that the petitioner may not be detained further.

Let the petitioner, namely, Md. Jamiruddin @ Md. Jamruddin @ Md. Jamiruddin Ansari 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, Muzaffarpur in connection with Sadar P.S. Case No. 175 of 2018 with conditions that (i) one of the bailor must be blood relation of the petitioner and (ii) on each and every date, during the trial, the petitioner shall remain physically present before the court below. If continuously, on two dates, he remains absent without prior permission of the trail court, his bail-bond shall stand automatically cancelled.

**(Rakesh Kumar, J.)**

nawalkrs/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

