

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24935 of 2019

Arising Out of PS. Case No.-199 Year-2017 Thana- MITHANPURA District- Muzaffarpur

MD. AFTAB ALAM S/o- Abdul Samad, R/O- Mohalla- Tin Kothia, P.S.-
Mithanpura. District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Ms. Renu Kumari, Advocate

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 18-04-2019 Heard Shri Sheo Kumar Prasad, Advocate, who is
appearing in this case under the instruction of Shri Anish
Kumar, learned counsel for the petitioner and learned Additional
Public Prosecutor for the State.

The present application has been filed on behalf of the
petitioner who is rotting in jail since 02.07.2017 in connection
with Mithanpura P.S. Case No. 199/2017 registered for the
offense punishable under Sections 25(1-B)a, 26/35 of the Arms
Act.

Learned counsel for the petitioner submits that the
petitioner has no criminal antecedent, but it appears from the
F.I.R. that the petitioner is having a criminal antecedent and had
been in jail in connection with a case of theft and Arms Act.

However, taking into consideration the nature of
allegations and that the petitioner has already languished in jail



for more than 1 ½ years in connection with the present case, let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., East, Muzaffarpur, in connection with Mithanpura P.S. Case No. 199/2017, subject to the following conditions:

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) 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 reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate 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.

(Anjana Mishra, J)

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