

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30092 of 2019

Arising Out of PS. Case No.-78 Year-2018 Thana- KHUSRUPUR District- Patna

Md. Aslam @ Sonu, aged about 20 years, Male, S/o Md. Mahmud @ Mahmud Alam, R/o Village- Sabnima, P.S.- Athmalgola, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nityanand Kumar, Advocate

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 05-07-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Khusrupur P.S. Case No. 78 of 2018 registered under Sections 399, 402, 414 of the Indian Penal Code, Sections 25(1-b)a 26/35 of the Arms Act and Sections 20/22 of N.D.P.S. Act.

The prosecution claims that in midnight while petitioner and others had assembled on a four-lane road to make preparation for committing dacoity, petitioner and four others were apprehended. On search, one country made pistol, two live cartridges and looted articles along with 500 gm. charas were recovered from possession of the petitioner. In similar case, another co-accused has been granted bail by a Co-ordinate Bench of this Court. The petitioner is in jail since 14.04.2018.



In 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 the like amount each to the satisfaction of A.D.J.-VI cum Special Judge, N.D.P.S., Patna in connection with Khusrupur P.S. Case No. 78 of 2018 (Spl. Case No. 35 of 2018), subject to the following conditions :

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

(2) The petitioner will appear before the learned Court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(3) 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.

(Anjani Kumar Sharan, J)

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