

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.39570 of 2019**

Arising Out of PS. Case No.-139 Year-2016 Thana- RUPASPUR District- Patna

MD.SADDAM @ TAHZEEB ALAM @ SADDAM Son of Ajamat Ali  
Resident of Choudhary Hotel Gali, Samanpura, Raja Bazar, Bailey Road,  
P.S.- Shastrinagar, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ajit Kumar

For the Opposite Party/s : Mr.Abhay Kumar

**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

2      03-07-2019                      Heard learned counsel for the petitioner and the  
learned APP for the State.

The petitioner seeks bail in connection with Rupaspur  
P.S. Case No. 139 of 2016 instituted for the offence under  
Section(s) 47 of Bihar Prohibition & Excise Amendment Act,  
2016, sections 399 and 402, 414 of the IPC and Section 25(1-  
b)a/26/35 of the Arms Act.

Learned counsel for petitioner has submitted that  
petitioner was not apprehended from the spot. There is no  
recovery of any incriminating article from conscious possession  
of this petitioner. Learned counsel further submits that some of  
the persons who were arrested from the spot have already been  
granted regular bail by co-ordinate Bench of this Court vide



orders passed in Cr. Misc. nos. 38913 of 2016 and 21249 of 2017.

It is alleged that four persons have been arrested from the spot by the police as mentioned in the written report and incriminating article has been recovered from their possession. They disclosed the name of this petitioner.

Petitioner is in custody since 6.3. 2019.

Considering the aforesaid, 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 the learned Special Judge (Excise Act), Patna in connection with Rupaspur P.S. Case No. 139 of 2016, Spl case no. 5125 of 2018 subject to the condition that both the bailors shall be the close relative of the petitioner.

**(Sanjay Priya, J)**

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