

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55815 of 2019

Arising Out of PS. Case No.-760 Year-2019 Thana- AHIYAPUR District- Muzaffarpur

AZAD THAKUR @ AZAD Son of Shyam Kishor Thakur Resident of Village
- Chak Mohammad @ Chakmohabbat, Ward No.-8, Near Janki Vivah
Bhawan, P.O.- Bhikhanpura, P.S.- Ahiyapur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jagjit Roshan

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 27-11-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner is in custody since 26.06.2019 in connection with Ahiyapur P.S. Case No. 760 of 2019/GR No. 3397 of 2019 for the alleged offences under Sections 399, 400, 402, 115 of the Indian Penal Code and Section 25(1-AA), 26 and 35 of the Arms Act.

3. It is submitted that the petitioner has been falsely implicated in connection with alleged recovery of two live cartridges from the petitioner. It is submitted that the petitioner is repeatedly been implicated in such cases, so much so as many as three consecutive cases in Ahiyapur P.S. Case Nos. 1100/2017, 1101/2017 and 1102/2017 have been lodged on the same day. It is submitted that the smart mobile phone recovered from the petitioner was purchased by him, in respect of which a cash memo dated 09.10.2018 had been issued (Annexure-2). Similarly situated co-accused Raja Thakur @ Abhishekh Kumar @ Amishek Kumar has been granted bail by this Court in Cr. Misc. No. 59234 of 2019.



4. Learned APP appears and has been heard.

5. Be that as it may, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned CJM, Muzaffarpur in connection with Ahiyapur P.S. Case No. 760 of 2019/GR No. 3397 of 2019 on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That 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.

(iv) 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 reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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