

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69259 of 2019

Arising Out of PS. Case No.-300 Year-2019 Thana- SHERGHATI District- Gaya

RAJU MISTRY @ MD. RIYAZ Son of Md. Khairat Ahamad Resident of
Ward No. 16, Mohalla Ramna, Mela Sherghati, P.S.- Sherghati, District-
Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Md. Javed Jafar Khan
For the Opposite Party : Mr.Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 20-11-2019 Heard learned counsel for the petitioner and the learned
APP for State.

Petitioner apprehend his arrest in connection with
Sherghati P.S. Case No. 300 of 2019 instituted for the offence
under Section(s) 341,323 and 504 of the Indian Penal Code and
Sections 25(1-b)a, 26 of the Arms Act.

It is submitted by the petitioner's counsel that from the
allegations in the First Information Report the veracity of the
prosecution case becomes very doubtful. It is the informant,
who has delivered two live cartridges at the Police Station and,
on that basis the petitioner has been implicated in this case
upon an allegation that he was carrying the same. It has further
been submitted that he has been falsely implicated in this case.



The petitioner is a man of clean antecedents as per averments made in para 3 of the petition.

The learned APP for the State has opposed the prayer for bail by submitting that the allegations are U/s 341 of the IPC and Sections 25(1-b)a and 26 of the Arms Act and other allied offences.

Considering the aforesaid facts, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner before the court below, named above, within four (04) weeks from today, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Additional Chief Judicial Magistrate, Sherghati, District-Gaya** in connection with **Sherghati P.S. Case No. 300 of 2019**, subject to the conditions as laid down under Section 438(2) Cr. P.C. subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.



(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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