

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80479 of 2019

Arising Out of PS. Case No.-566 Year-2018 Thana- NARPATGANJ District- Araria

MD. TABREZ, aged about 42 years, Male, S/O Sirazuddin R/O Village -
Swaldaha Majhuwa, Muslim Tola, P.S.- Narpatganj, District- Araria
... Petitioner

Versus

THE STATE OF BIHAR ... Opposite Party

Appearance :

For the Petitioner : Mr. Kundan Kumar Singh, Adv.
For the Opposite Party : Mr. Uday Chand Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 09-12-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Narpatganj P.S. Case No. 566 of 2018 (G.R. No. 3100 of 2018),
registered under Sections 399 and 402 of the Indian Penal Code
and 25(1-B)a and 35 of the Arms Act.

On receiving secret information about gathering of the
miscreants at the house of Md. Rashid in village Rewahi to
commit heinous crime, the informant, along with other police
personnel, reached there. On seeing the police party, all started
to flee away while on chase five persons were apprehended,
who disclosed their names as Md. Rashid, Shamser, Raju
Swarnkar, Md. Hazrath and Manju Devi, they were found in
possession of country made pistol and cartridges and they also
disclosed the name of the petitioner, who succeeded to flee as
well as from there.

Submission is that petitioner was not apprehended on



the spot nor any incriminating article has been recovered from his house and his name has come in the confessional statement of the co-accused. In fact, the petitioner is in custody in Forbesganj P.S. Case No. 9 of 2017, registered under Sections 364 and 392 of the Indian Penal Code, in which the petitioner is on bail and due to that reason the informant implicated the petitioner in the present case.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Narpatganj P.S. Case No. 566 of 2018 (G.R. No. 3100 of 2018) shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Araria, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

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