

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79835 of 2019

Arising Out of PS. Case No.-49 Year-2019 Thana- BARHIYA District- Lakhisarai

Md. Asharuddin @ Md. Ajhar @ Ajhar @ Ashlam @ Md. Asar, son of Md. Islam @ Asalam Mia @ Islam, Resident of Village- Khuthadih, Police Station- Barahiya, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Uday Pratap Singh, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 05-12-2019 Heard learned counsel for the petitioner and the learned counsel appearing on behalf of the State.

The petitioner is in custody since 22.02.2019 in connection with Barahiya P.S. Case No.49 of 2019 registered for the offence under Sections 25(1-B)(a)/26 of the Arms Act.

Learned counsel for the petitioner submits that the alleged recoveries had been saddled on the shoulders of the petitioner and he was forced to sign on the seizure list. Learned counsel further submits that petitioner has eleven other criminal antecedents, but in most of the cases he has been granted bail and in one case, he has also been acquitted. Learned counsel submits that the petitioner shall appear as and when required.



Considering the aforementioned facts and circumstances and that the petitioner has been remanded in connection with the present case on 03.02.2019, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Lakhisarai, in connection with Barahiya P.S. Case No.49 of 2019, subject to the following conditions:

(1) One of the bailors will be his own blood relative, preferably, father, mother, son, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) 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.

(Anjana Mishra, J)

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