

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12274 of 2020

Arising Out of PS. Case No.-246 Year-2018 Thana- FALKA District- Katihar

Md. Sattar @ Saddam S/o - Rafik Nadaf @ Rafil Nadaf R/o- Jaabe, P.S.-
Bhawanipur, District- Purnia, at present R/o- Manganpatti, P.S.- Falka,
District- Katihar. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh

For the Opposite Party/s : Mr.Manoj Kumar

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

3 13-05-2020 Heard learned counsel appearing for the petitioner as
well as learned Additional Public Prosecutor for the State
through video conferencing.

Petitioner seeks bail in connection with Falka P.S.
Case No. 246/2018 registered for the offences punishable under
Section 414 of the Indian Penal Code, Section 37(b) of the Bihar
Prohibition and Excise Act, 2016 and Sections 25(1-b) a/26 of
the Arms Act.

One co-accused, namely, Md. Jabbar was caught in
drunken state and one countrymade loaded pistol was recovered
from his possession. So far as petitioner is concerned, informant
claims that he managed to flee from the spot and co-accused
Md. Jabbar disclosed the name of the petitioner.

Learned Additional Public Prosecutor points out that
petitioner does have criminal antecedents of several cases but,



admittedly, in the present case except the confessional statement of co-accused, there is nothing against the petitioner.

Accordingly, 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 learned Special Judge, Excise, Katihar /concerned court in connection with Falka P.S. Case No. 246/2018.

However, it is made clear that if the petitioner fails to make available sureties due to lock down as well as due to prevailing situation, the concerned court shall release the petitioner provisionally on personal bond with condition that petitioner shall furnish the sureties when lock down is over.

(Hemant Kumar Srivastava, J)

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