

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29051 of 2020

Arising Out of PS. Case No.-41 Year-2020 Thana- MUSAHARI District- Muzaffarpur

Md. Sonu @ Javeer, Son of Md. Kakum, Resident of Village- Munni Bangri,
Police Station- Pear (Hatha O.P.), District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Ranjan, Advocate

For the Opposite Party/s : Ms. Sangita Sharma, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 11-11-2020 Since as of now the Courts have not resumed
normal physical hearing, the matter has been listed today
for consideration through video conferencing.

The learned counsels are appearing and making
submissions from their residence.The Court Master and
Secretary are also part of this virtual Court proceedings
from their homes, all with the aid of audio visual
technology.

Ms. Sangita Sharma, learned APP is appearing for
the State as it is submitted that the brief has been allotted to
her by the office of Advocate General.

Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with



Mushahari P.S. Case No.41 of 2020 registered for the offence punishable under Sections 120B, 414 of the Indian Penal Code and Section 25(1-B)a, 26 and 35 of the Arms Act.

The petitioner is said to have been apprehended with a country-made pistol and a live cartridge and has confessed to have been hired for eliminating his father-in-law's brother.

It is submitted by the petitioner's counsel that merely on the basis of the alleged preparation, the petitioner is in custody since 06.03.2020. The petitioner has a clean past and his father-in-law, who is said to have hired the petitioner, has been allowed bail in Cr.Misc. No.27334 of 2020. Even as per the F.I.R., no untoward occurrence has taken place, let alone any crime.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

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 Additional Chief Judicial Magistrate,
6th Muzaffarpur, in connection with Mushahari P.S. Case
No.41 of 2020, 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.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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