

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29105 of 2020

Arising Out of PS. Case No.-836 Year-2019 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

MD. RAJA Son of Md. Samim Resident of Village- Dharmpur, P.S.-
Muzaffarpur Sadar, District - Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Singh, Adv.
For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 12-11-2020 As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

Learned counsel are appearing and making submissions from their residence. The Court master and Secretary are also part of this virtual Court proceedings with the aid of audio visual technology.

Mr. Akhileshwar Dayal, learned APP, is appearing as it is submitted that the brief has been allotted to him by the office of Advocate General. His name may also be printed in the cause list.

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



Learned counsel for the petitioner is expected to honor his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon.

The petitioner seeks bail in Muzaffarpur Sadar P.S. Case no. 836 of 2019 instituted for the offence under Sections 25(1-b)a, 26, 35 of the Arms Act.

The prosecution case alleges that co-accused Aman Sultan has been apprehended in connection with failed bank dacoity.

It is submitted by the petitioner's counsel that there is no incriminating material recovered from the petitioner's possession. The petitioner has been implicated in this case merely because of his criminal antecedents and confessional statement of co-accused has no evidentiary value. The recovery of live cartridges is denied and disputed and the petitioner is now in custody since 06.01.2020 in connection with instant case. It is also submitted that co-accused Md. Osama, who was implicated in like manner, has already been enlarged on bail.

The learned APP has opposed the prayer for bail.

Considering the aforesaid, 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 the C.J.M. Muzaffarpur, in connection with Muzaffarpur Sadar P. S. Case no. 836 of 2019, 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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