

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25546 of 2020

Arising Out of PS. Case No.-889 Year-2019 Thana- MADHEPURA District- Madhepura

MD. SHABBIR ALAM @ MD. SABBIR S/o- Md. Shahid @ Sahid @ Sahid
Md. Resident of Village- Bhirkhi, Ward No. 26, Madhepura, P.S. and District-
Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha

For the Opposite Party/s : Smt. Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 29-09-2020 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.

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 Madhepura P. S. Case no. 889 of 2019 instituted for the offence under Section 394 of the I.P.C. and Section 27 of the Arms Act.

It is alleged by the informant that three culprits on one motorcycle and one culprit on another motorcycle have stopped him on the way, assaulted him and snatched his scooty and took away some cash. The firearm injury is also attributed in the process.

It is submitted by the petitioner's counsel that from perusal of the FIR, it is apparent that the allegation of firing is upon co-accused Md. Nazir who has also taken away the cash. petitioner's name has been inserted in the last line of the FIR merely on the fact that Md. Nazir is his brother. In like manner, he has been implicated in all the other seven cases as per details mentioned in para 3 of the bail petition, in which cases, he is already on bail.

The petitioner is in custody in the instant case since 27.02.2020

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. Madhepura, in connection with Madhepura P.S. Case No. 889 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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