

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.30389 of 2020**

Arising Out of PS. Case No.-296 Year-2020 Thana- MUZAFFARPUR SADAR District-  
Muzaffarpur

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REHAN @HAZRAT ALI @ MD. REHAN @ MD. HAZRAT ALI Son of  
Md. Ashraf Ali @ Md. Raju Resident of Mohalla - Bela Chhapra, P.S. - Bela,  
District - Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioner/s : Mr.Hari Kishore Thakur, Advocate

For the Opposite Party/s : Mr. Ashlam Ansari, APP

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**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

2      24-11-2020                      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.

Mr. Ashlam Ansari, APP is appearing for the State as it is  
submitted that the brief has been allotted to him by the office of  
Advocate General.

Heard learned Counsel for the petitioner and the learned  
Counsel for the State.

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

Petitioner seeks bail in Sadar PS Case No. 296 of 2020  
registered under Sections 399, 402 of the IPC and Sections 25(1-b)a,



26 and 35 of the Arms Act.

Two live cartridges are alleged to have been recovered from the petitioner's possession. He is in custody since 4.6.2020 the date on which he has been remanded in this case.

Submission is of false implication. The petitioner has become victim of circumstances where recovery of the fire arm has been falsely alleged. He has no criminal antecedent and is a student pursuing his studies.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of CJM Muzaffarpur in Sadar PS Case No. 296 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.

**(Madhuresh Prasad, J)**

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