

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69659 of 2019

Arising Out of PS. Case No.-311 Year-2019 Thana- KRITYANAND NAGAR District- Purnia

1. Md. Julfikar @ Md. Julfkar Alam, Son of Md. Kamruddin @ Sk. Kamruddin Resident of Village - Milky, Ward No. -20, P.S.- K.Hat (Maranga), District- Purnia
2. Sarwar Alam, Son of Md. Abbas Resident of Village - Milky, Ward No. -20, P.S.- K.Hat (Maranga), District- Purnia

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 29-01-2020 Heard Learned Counsel for the parties.

Petitioners are accused in a case registered for the offence punishable under Sections 399, 402 of the Indian Penal Code and Sections 25(1-b)a, 26, 35 of the Arms Act.

It is alleged that on the secret information police apprehended some criminal gathering in the field. It is further alleged that police raided the place and one mobile phone was recovered from petitioner No. 1. One loaded country made pistol is said to have been recovered from petitioner No. 2. Petitioners are in custody since 14.08.2019. Petitioners have no criminal antecedent. Charge sheet has already been submitted in the case and there is no allegation of tempering with the evidence. Similarly situated co-accused granted bail by this



Court order dated 16.01.2020.

In view of the facts and circumstances of the case, prayer for bail of the petitioners are allowed. Let the petitioners, mentioned above, be released on bail on furnishing the bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Court of Learned Chief Judicial Magistrate, Purnea in K.Nagar Police Station Case No.311 of 2019, on the following conditions:-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J.)

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