

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71107 of 2019

Arising Out of PS. Case No.-434 Year-2019 Thana- NARPATGANJ District- Araria

MD. JASSIM @ MD. JASIM Son of Late Hayat Mohammad Resident of
Village - Jat Tola, Dumariya, Ward No. - 13, P.S.- Narpatganj, Dist- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh

For the Opposite Party/s : Mr.Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

4 05-03-2020 Heard learned counsel for the petitioner as well as
learned Addl. Public Prosecutor for the State.

Petitioner is apprehending his arrest in Narpatganj P.S. Case
no. 434/2019 registered under sections 341, 323, 504, 506/34 of the
IPC and sections 25(I-b)a, 26, 27 of the Arms Act.

FIR discloses a case against the petitioner that he has
resorted to firing upon the informant along with his associates.
Informant as well as the petitioner apparently were asserting their
right in respect of land belonging to their third brother. In connection
with the same occurrence, one FIR bearing Narpatganj P.S. Case no.
433/2019 was instituted by sister of the petitioner levelling allegation
against the informant. There is also no injury report to sustain any
assault upon the informant and it is submitted that other than
allegation leveled under the Arms Act, sections under Indian Penal
Code are bailable sections. As per prosecution case, arms and shell
recovered from the place have been handed over by private



individual to the police.

Learned A.P.P. opposes the prayer for anticipatory bail.

Considering the rival submissions, prayer for anticipatory bail is allowed.

In the event of arrest/ surrender within four weeks from the date of receipt of a copy of the order in the court below, petitioner shall be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Araria in Narpatganj P.S. Case no. 434/2019 subject to the condition under section 438(2) Cr.P.C and other conditions.

(1) 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.

(2) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

s.hassan/-

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(Madhuresh Prasad, J)

