

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85637 of 2019

Arising Out of PS. Case No.-205 Year-2019 Thana- KATRA District- Muzaffarpur

MD. ZAHID Son of Late Md. Gafur @ Gafur Resident of Village- Aurai
(Charpurva Mahalla), P.S.- Aurai, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyam Bihari Singh, Adv.
For the Opposite Party/s : Mr. Ramchandra Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 16-01-2020 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in **Katra P. S. Case No. 205 of 2019** instituted for the offence under Section(s) 399, 402 and 414 of the Indian Penal Code and Section 25(1-b)a, 26 and 35 of the Arms Act.

The case of the prosecution is that upon receiving secret information regarding assembly by some antisocial elements for planning an offence, the matter has been investigated. The petitioner is said to have been fleeing away along with one another person when the informant reached at the place of occurrence.

It is submitted by petitioner's counsel that he has no criminal antecedents. He has been implicated in the instant case on extraneous considerations. The alleged recovery of country



made pistol and two live cartridges is false and baseless. There is no compliance with Section 100 Cr.P.C., and that he is in custody since 03.09.2019. It is also submitted that there is no recovery of any stolen articles from the petitioner's possession.

The learned APP for the State 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 **A.C.J.M. Muzaffarpur**, in connection with **Katra P. S. Case No. 205 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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