

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2406 of 2020

Arising Out of PS. Case No.-140 Year-2019 Thana- BELSAND District- Sitamarhi

MD. RAHIM @ MD. ABDUL RAHIM @ RAHIM MIAN Son of Late Abdul Razzak Resident of Village- Khortha Ward No. 6, P.S.- Belsand, District- Sheohar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Anisur Rahman, Advocate.

For the Opposite Party/s : Mr.Pancha Nand Pandit, APP.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 07-07-2020 This matter has been taken up through Video Conferencing.

Heard the parties.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Section 414 of the Indian Penal Code and Sections 25(1-b)a and 26 of the Arms Act.

From house of the petitioner, a rifle in three parts and live cartridges were recovered.

Submission is that the petitioner is aged about 74 years having no criminal antecedent and the house is occupied by other family members also. Hence it cannot be alleged that the same was recovered from the conscious possession of the petitioner.



Finding substance in the submission aforesaid, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs. 20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Belsand P.S. Case No. 140 of 2019 (G.R. No.3776/2019), subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure as well as subject to the following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

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