

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12289 of 2021

Arising Out of PS. Case No.-107 Year-2020 Thana- RAGHOPUR District- Supaul

MD. RAIS S/o- FIDA HUSSAIN Resident of Village- Saurajan (Machha),
P.S.- Raghopur, Distt- Supaul

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Arun, Addl Public Prosecutor
For the Opposite Party : Mr. Matloob Rab A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-06-2021 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under section 394 of the Indian Penal Code section 27 of the Arms Act.

As per the prosecution case, four unknown miscreants riding on two motorcycle came to the shop of the informant and looted away 5 lacs and opened fire as a result of which staff of the informant received fire arm injury on his cheek.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case and his name surfaced on the confessional statement of co-accused Jai Kishore Kumar. Test Identification Parade has not been carried out till date. Charge sheet has already been submitted. No incriminating material has been



recovered from the conscious possession of the petitioner.
Petitioner is in custody since 11.9.2020.

Considering the facts and circumstances of the case and the fact that let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Birpur, Supaul in Raghapur Police Station Case No. 107 of 2020 on the following conditions:-

(1) Petitioner 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 on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers 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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