

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.18573 of 2021**

Arising Out of PS. Case No.-211 Year-2020 Thana- PALASI District- Araria

SAJID @ LALOO @ MD SAJID SON OF LATE AIYUB @ MD. AYYUB
R/O VILLAGE- MATIYARI, W.NO.08, P.S.- JOKIHAT, DISTRICT-
ARARIA.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Md. Naushad Uzzoha, Advocate

For the Opposite Party/s : Mr.Iftekar Mahmood, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 30-07-2021 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with Palasi P.S. Case No. 211 of 2020 registered for the offences punishable under Section 392, 411 of the Indian Penal Code and Section 25(1-b)a, 26, 35 of the Arms Act.

As per the prosecution story, while the informant was going to the house of his father on motorcycle and when he reached near turn of Sangaura Basbitta then three persons riding bullet motorcycle came from behind and snatched his Oppo A-9 mobile set, on which the informant raised hulla and with the help

of co-villagers started chasing the culprits and caught two persons who disclosed their name as Saddam @ Rojid and Sajid (the petitioner). It is alleged that the looted mobile and one country made pistol were recovered from the possession of the petitioner.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. Learned counsel submits that one country made pistol has been recovered from the possession of the petitioner, however he is in custody since 28.06.2020.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that one country made pistol has been recovered from the possession of the petitioner, petitioner has remained in custody for over one year since 28.06.2020, investigation against him is complete and in one case as stated in paragraph '3' he is said to be on bail, in the circumstances this Court directs release of the petitioner above-named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. - 1st, Araria, in connection with Palasi P.S. Case No. 211 of 2020, subject to the condition as laid down under Section 437 (3) Cr.P.C.

as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.