

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.23508 of 2021**

Arising Out of PS. Case No.-338 Year-2020 Thana- GAYA KOTWALI District- Gaya

MD. RAZA @ TAUFIQUE KHAN S/O MASUK KHAN R/o Mohalla- Sarai  
Road, P.S.- Kotwali, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sheikh Arkan Ahmad, Advocate  
For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR  
ORAL ORDER**

2      07-09-2021

Heard the parties in virtual Court proceeding.

Let the defects, if any, be removed within four weeks  
of the start of the physical Court.

The petitioner is languishing in custody for the  
offences punishable under Sections 399/402 of the Indian Penal  
Code and Sections 25(1-b)a/26/35 of the Arms Act.

The petitioner was not arrested at the spot. Name of  
the petitioner surfaced in the confessional statement of co-  
accused. No incriminating article was recovered from the  
possession of the petitioner. The petitioner is in custody since  
19.09.2020. The petitioner has got criminal antecedents.  
Investigation of the case is already complete. Similarly situated  
co-accused have been allowed bail by the Court-below itself.

Considering the facts aforesaid, let the petitioner,



above named, be released on bail on furnishing bail bond of Rs.20,000/- (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 Sessions Trial No.269 of 2020/35 of 2020, arising out of Kotwali P.S. Case No.338 of 2020, with 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 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)**

Mkr./-

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