

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28800 of 2021

Arising Out of PS. Case No.-380 Year-2020 Thana- FALKA District- Katihar

Mohd. Mustaque S/O Mohd. Layek R/O Village- Gulab Bagh Ayana Mahal,
P.S.- Sadar City, District- Purnia.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Giri, Advocate

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 24-08-2021 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 413,414/34 of the Indian Penal Code and sections 25(1-b)a/26/35 of the Arms Act.

As per the prosecution case, two live cartridges have been recovered from the possession of the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Petitioner is in custody since 28.11.2020. Investigation is complete.

Considering the facts and circumstances of the case, 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 Chief Judicial Magistrate I, Katihar in Falka (Pothiya) Police Station Case No. 380 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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