

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34316 of 2021

Arising Out of PS. Case No.-215 Year-2020 Thana- KOCHADHAMAN District- Kishanganj

Ramiz Raza @ Gabbar @ Ramiz Reza Son of Alamgir Sah @ Alamgeer
Resident of Village - Panibagh, Ward No.4, P.O. and P.S.-Kishanganj, Dist.-
Kishanganj.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Smriti Singh

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-12-2021 Let the defects, if any, be removed within four weeks
of the complete start of the Physical Court.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered in
connection with Kochadhaman P.S.Case No. 215 of 2020 for
the offences punishable under Section 25(1-b)a 26, and 35 of
the Arms Act.

As per prosecution case itself, during checking of
vehicle two persons riding on motorcycle was not stopped the
motorcycle on signaled by the police. Petitioner Ramiz Raza



was caught by the police and another was fled away from the spot. On search one loaded country made pistol and Rs. 8000/- was also recovered from the possession of the petitioner.

Learned counsel for the petitioner submits that petitioner was named in the F.I.R and he is in jail custody since 01.09.2020. Learned counsel further submits that on similar footing other co-accused person namely, Arhan Akher @ Md. Arhan Akhter has been granted bail by co-ordinate Bench of this Court in Cr. Misc. No.33413 of 2021.

The learned A.P.P opposed the prayer for bail of the petitioner and submits that petitioner is having two cases of same nature ie. Kochadhaman P.S.Case No. 213 of 2020 and Kochadhaman P.S.Case No. 214 of 2020.

Considering the aforesaid facts and circumstances as well as submissions of the parties and period of detention of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj in connection with Kochadhaman P.S. Case No. 215 of 2020, subject to 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

2. If the petitioner tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. 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 petitioners have concealed their 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-mentions order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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