

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33220 of 2020

Arising Out of PS. Case No.-387 Year-2019 Thana- BIDUPUR District- Vaishali

MD. FAIZAN Son of Md. Imrayaz @ Imteyaj Resident of Village -
Chaksikandar, P.S.- Bidupur in the district of Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 10-02-2021 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody seeks bail in a case
registered under Sections 399, 402, 413, 414 of the Indian Penal
Code and Section 25(1-B)A/26/35 of the Arms Act.

Petitioner had earlier moved this Court for regular bail
vide Cr. Misc. No. 85624 of 2019 which was rejected on
16.01.2020 with liberty to petitioner to renew his prayer for bail
after framing of charge.

Informant who is the police officer has alleged that
he received an information that some miscreants have
assembled to commit dacoity and upon receiving said
information he reached said place from where five miscreants
were arrested including petitioner. It is alleged that from the



possession of petitioner one country made pistol and one live cartridge was recovered and one looted vehicle was also recovered from there.

It has been submitted on behalf of petitioner that he is innocent and has been falsely implicated in this case only on the basis of suspicion. It has been further submitted that similarly placed co-accused, namely, Sonu Kumar and Rajit Kumar have been granted bail by this Hon'ble Court as contained in Annexure-3 and other co-accused persons, namely, Diljat Ahmad and Samsul Arfin have also been granted bail by the court below itself as contained in Annexure-4. Petitioner has no criminal antecedent and he is in custody since 06.10.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Bidupur P.S. Case No. 387 of 2019 subject to the conditions that:-

- (1) Bailors should be local
having sufficient immovable property
within the jurisdiction of the court



concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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