

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38176 of 2020**

Arising Out of PS. Case No.-555 Year-2018 Thana- KOTWALI District- Munger

Md Khurshid @ Md. Khurshid Alam son of Md Salim Resident of Village-
Bardah Mirjapur, P.S.- Mufasil, Distt- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Singh

For the Opposite Party/s : Ms.Shaheen Begum

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3. 23-03-2021 Heard learned counsel for the parties.

The petitioner seeks bail in Kotwali P.S. Case No. 555 of 2018, registered for the offence under Sections 121, 379, 414, 120B/34 of the Indian Penal Code, Sections 25(1-A), 25(1-AA), 25(1-B)a, 26, 35 of the Arms Act and Section 39 of UAP Act.

As per the prosecution case, on secret information, a raid was conducted and three co-accused persons, named in the FIR, were arrested with arms and ammunition.

It is submitted on behalf of petitioner that petitioner is not named in the FIR. Name of petitioner has come during course of investigation on the basis of disclosure made by other co-accused persons, who were arrested on the spot. No arms & ammunition were recovered from possession of the petitioner. Only material against this petitioner is that he was also involved



in sale and purchase of arms & ammunition. It is further submitted that some other co-accused have already been granted bail by this Court, vide orders annexed as Annexure 2 series to the petition. Petitioner is in custody since 06.08.2019. Investigation is complete.

Considering the aforesaid facts and circumstances, the bail application of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Munger in connection with Kotwali P.S. Case No. 555 of 2018, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his 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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