

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39404 of 2020

Arising Out of PS. Case No.-73 Year-2018 Thana- BALIYA District- Begusarai

MD. SANAULLAH Son of MD. JAHANGIR Resident of Village - Ward
No.4, Chhoti Ballia Saidan Chak, P.S.- Ballia, Distt.- Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Abul Kalam, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 11-02-2021 Heard learned Counsel for the petitioner and the learned
Counsel for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Ballia PS Case No. 73 of 2018 registered under Sections 382, 393, 411/34 of the IPC and Section 27 of the Arms Act.

The written report contains allegation that the accused persons, including the petitioner, have attempted to snatch the vehicle of the informant. Various roles have been attributed to the various accused persons in the process. However the attempt to snatch the vehicle has failed.

Learned Counsel for the petitioner submits that the other co-accused, similarly situated as the petitioner, namely co-accused Shiv Kumar and co-accused Ramu, have been allowed bail vide Cr. Misc. No. 82670 of 2019 and Cr. Misc. No. 71033 of 2018. In the cases mentioned as incident in para 3 of the petition, the petitioner is said



to have been allowed bail except one of those cases. The petitioner is in custody in connection with this case since 13.9.2019.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed.

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 CJM Begusarai in Ballia PS Case No. 73 of 2018 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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