

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7367 of 2021

Arising Out of PS. Case No.-12 Year-2020 Thana- CHHAURADANO District- East
Champaran

=====

Md. Salim, Son of Younis Khan, Resident of Village - Gyan Babu Chowk,
Miscout, P.S.- Town Motihari, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Prateek Tandon, Advocate
For the Opposite Party/s : Mr. Kanhaiya Kishore, APP

=====

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 29-06-2021 The matter has been taken up today for consideration
through video conferencing.

The learned counsels are appearing and making
submissions from their residence. The Court Master and
Secretary are also part of this virtual Court proceedings from
their homes, all with the aid of audio visual technology.

Heard learned Counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with
Chauradano P.S. Case No.12 of 2020 registered for the offence
punishable under Sections 399, 402 of the I.P.C. and Section
25(1-b)a, 26, 35 of the Arms Act.

Since 12.01.2020, the petitioner is stated to be in



custody. There is an alleged recovery of one loaded country made pistol and one live cartridge from his possession

The case of the prosecution is that apprehending commission of some illegal act, four persons, including the petitioner, had been arrested.

Petitioner's counsel submits that the petitioner has no criminal antecedents and on extraneous considerations, he has been implicated in this case. The submissions is total denial of the recovery.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, let the petitioner, above named, 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 the learned C.J.M., Motihari, East Champaran, in connection with Chauradano P.S. Case No.12 of 2020, 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.

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

(Madhuresh Prasad, J)

PNM

U		T	
---	--	---	--

