

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9171 of 2021

Arising Out of PS. Case No.-38 Year-2020 Thana- BAHADURGANJ District- Kishanganj

Shadab@Shahbaz Alam @Shadab Shahwaz Alam, Son of Nurul Huda
Resident of Mohalla- LRP, Bahadurganj Ward No. 15, P.S.- Bahadurganj,
District- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Sinha, Adv.

For the Opposite Party/s : Mr.Uma Shankar Pd. Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-06-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

Learned counsel for the petitioner undertakes to
remove the defects as pointed out by the office within four
weeks of normal functioning of the court, failing which the
office is directed to place the matter before the Bench.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 25(1-b)a, 26, 27 and 35 of
the Arms Act.

Allegation against the petitioner alongwith other
accused persons is said to have snatched Rs. One lac from the
victim and injured him by firing from pistol.

Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. On the basis of confessional statement of co-accused namely Md. Ruksaad Alam, he has been made accused in this case. He further submits that there is no any incriminating articles has been recovered from the possession of the petitioner. The petitioner is languishing in judicial custody since 11.02.2020. The petitioner has two criminal antecedents which is mentioned in para 3 of the bail petition.

Learned APP for the State opposes the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each in connection with Bahadurganj P.S. Case No. 38/2020 to the satisfaction of learned Court below where the case is pending; subject to the following conditions:

(1) that one of the bailors will be a close relative of the petitioner, who will be given an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.



(2) that the bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

(3) that the petitioner will be well represented on each and every date fixed in the case and if he fails to do so on two consecutive dates his bail bond will be liable to be cancelled.

(4) that the petitioner will mark his attendance in the local police station in first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of his bail bond.

(Anjani Kumar Sharan, J)

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