

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 80060 of 2019**

Arising Out of PS. Case No.-94 Year-2019 Thana- ABADPUR District- Katihar

MD MANSOOR @ MANSOOR @ BAHIRA Son of Late Muzzafar Hussain
Resident of Village - Bhawanipur, P.S.- Abadpur, Distt.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Saghir Ahmad, Advocate

For the Opposite Party/s : Mr Anil Kumar Singh No 1, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

3 08-02-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Abadpur Police Station
(for brevity, *PS*) Case No 94 of 2019 instituted for the offence
punishable under Sections 399, 402, 414 of Indian Penal Code
and Sections 25 (1-b)A, 26, 35 of Arms Act.

Since 15.06.2019, petitioner is in custody. The
allegation is of recovery of four live cartridges from the
petitioner.

It is submitted that this is a case of false implication.
There is no recovery of any firearm from the petitioner and
petitioner is on bail in the other cases, pending against him since
before.



Learned APP has opposed the prayer for bail.

Considering the rival submissions, prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 01st Class, Katihar in Abadpur PS Case No 94 of 2019 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.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

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