

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11757 of 2022**

Arising Out of PS. Case No.-364 Year-2021 Thana- RAJAON District- Banka

ABDUL RASID @ BABLU Son of Late Abdul Gafoor Resident of Village-
Harna Bujurg, P.S.- Nawada Bajar (Rajoun), District- Banka.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Nurul Hoda

For the Opposite Party/s : Mr.Satyendra Prasad

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER**

2 12-07-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with Rajoun
(Nawada O.P.) P.S. Case No. 364 of 2021 dated 27.09.2021
registered for the offences punishable under Sections 25(1-b)a,
26 of the Arms Act.

As per prosecution case, One country made pistol
as well as four live cartridge was recovered from a bag carried
by the petitioner.

Learned counsel for the petitioner submits that
petitioner is in custody since 28.09.2021 and he bears criminal
antecedent of one case in which he is on bail. Charge sheet has



already been submitted in the case and there is no likelihood of tampering with the prosecution evidence. The petitioner has falsely been implicated in the present case.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody, charge-sheet has already been submitted there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of the parties and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M. Banka in connection with Rajoun P.S. Case No. 364 of 2021, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates would be a ground for cancellation of bail by the learned Trial court itself.



(iii) 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.

(Alok Kumar Pandey, J)

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