

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50646 of 2022

Arising Out of PS. Case No.-684 Year-2021 Thana- KANTI District- Muzaffarpur

MD. MERAJ S/O MD. NAIMUDDIN Resident of Village- Jita Chhapra, P.S.-
Sahebganj, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar, Advocate

For the Opposite Party/s : Mr.Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 09-12-2022 Heard learned counsel for the petitioner and learned
APP for the State in Virtual Court Proceeding.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The case is registered under sections 399, 400, 411,
414, 467 and 468 of the Indian Penal Code and Section 25(1-
B)a, 26, 35 of the Arms Act, in connection with Kanti P.S. Case
No. 684 of 2021.

As per the FIR, the police upon information that
the accused persons including the petitioner herein are creating
forged papers of the vehicles (that has been snatched by them) at
the 'garage' of accused Rakesh Kumar and Rajesh Kumar so the
same could be sold. Accordingly, a team was constituted and the
'garage' of Rakesh Kumar and Rajesh Kumar was raided



whereafter six persons were arrested, the petitioner being one of them and upon search further upon search, a loaded country made pistol with live cartridge was recovered from him. Accordingly, the FIR was lodged and he was taken into custody.

Learned counsel for the petitioner submits that he was simply visiting the 'garage' of his friend Rakesh Kumar, little knowing the criminal activities are going on, the police in course of raid of the said 'garage' arrested him and accordingly implicated by showing the country made pistol and cartridge in his possession. It is his further submission that for the said act, he has already suffered by being in jail since 1.11.2021.

Considering the period of custody as stated aforesaid as also the fact that the charge-sheet stands submitted against him, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Muzaffarpur, in connection with Kanti P.S. Case No. 684 of 2021 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show



his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner shall leave his district(Muzaffarpur) for a period of one month after providing name and address and police station of his place of stay during the said period and he shall be duty bound to visit the police station (where he/she will stay) every week to mark his attendance;

(iv) upon return to his district, he shall visit the concerned police station every fortnight for the next six months to mark attendance;

(v) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(vi) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(vii) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty



to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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