

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54725 of 2022

Arising Out of PS. Case No.-53 Year-2021 Thana- MARANCHI District- Patna

Md. Raja, Male, aged about 22 years, Son of Md. Munna, Resident of
Sokahara Pokhar, P.S.- Fulbariya, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate
For the State : Mr. Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 09-12-2022

The matter has been heard through video conferencing.

2. Heard Mr. Anil Prasad Singh, learned counsel for the petitioner and Mr. Md. Mushtaque Alam, learned Incharge Additional Public Prosecutor (hereinafter referred to as the ‘APP’) for the State.

3. The petitioner, who is in custody, seeks bail in connection with Maranchi (Pachmahla OP) PS Case No. 53 of 2021 dated 26.05.2021, instituted under Sections 399/402/353/332/307 of the Indian Penal Code and 25(1-B) (a)/26/27/35 of the Arms Act, 1959.

4. The allegation against the petitioner is that he was caught with a country-made pistol and one live cartridge.



5. Learned counsel for the petitioner submitted that he has been framed since five persons were alleged to be at the spot and only he was caught, though in the FIR it is written that seizure list has been signed by the petitioner but the same does not bear his signature. It was further submitted that though the petitioner is also accused in other cases but in all cases he is on bail and in the present case he is in custody since 25.05.2021 as he was caught at the spot but wrongly it has been indicated that he is in custody since 15.02.2022.

6. Learned APP submits that the petitioner has criminal antecedent.

7. Having considered the submissions of learned counsel for the parties and taking into account the fact that the petitioner is in custody since 25.05.2021 and on bail in other cases, the Court is inclined to allow the prayer for bail.

8. Accordingly, let the petitioner be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the concerned Judicial Magistrate, Barh in Maranchi (Pachmahla OP) PS Case No. 53 of 2021, subject to the conditions that one of the bailors shall be a close relative of the petitioner. The petitioner and the bailors shall execute bond



with regard to good behaviour of the petitioner and the petitioner shall also give an undertaking to the Court that he shall not indulge in any illegal/criminal activity, act in violation of any law/statutory provisions, tamper with the evidence or influence the witnesses. Any violation of the terms and conditions of the bond or the undertaking shall lead to cancellation of his bail bonds.

9. The application stands disposed of in the aforementioned terms.

(Ahsanuddin Amanullah, J)

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