

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37339 of 2023

Arising Out of PS. Case No.-119 Year-2022 Thana- SARSI District- Purnia

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Md. Kalam @ Kalim @ Md. Kalim Son Of Md. Jamruddin Resident Of
Village - Pokhariya, P.S - Srinagar, Distt – Madhepura.

... .. Petitioner/S

Versus

The State Of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Adv.

For the Opposite Party/s : Mr. Shantanu Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 05-07-2023 Let the defect(s), if any, be removed within two
weeks from today.

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

3. The petitioner seeks regular bail in connection with
Supp-Sarsi P.S. Case No.119 of 2022 registered on 05.06.2022
lodged under Sections 406, 302, 120B of the Indian Penal Code
and 27 of the Arms Act.

4. As per the prosecution case, F.I.R. has been lodged
against two named accused persons on the ground of suspicion.

5. Counsel for the petitioner submits that name of the
petitioner has been figured in this case by the virtue of self-
confessional statement and his name has not figured in the F.I.R.
He submits the other named co-accused persons have been
granted bail by this Court vide order dated 08.12.2022 in Cr.
Misc. No. 55848 of 2022. He further submits that petitioner was

not named in the F.I.R. nor anything recovered from his possession.

6. Counsel further submits that petitioner is innocent and has committed no offence. He further submits that petitioner is in custody since 30.01.2023 having four criminal cases pending against him, in which he is on bail in cases and in rest, he is pursuing for bail.

7. Learned counsel for the State opposes the prayer for bail.

8. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with Supp-Sarsi P.S. Case No.119 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

9. With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

Ashishsingh/-

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