

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 57836 of 2022

Arising Out of PS. Case No.-77 Year-2022 Thana- AMARPUR District- Banka

Md. Sajjad S/O Abul Hassan Resident Of Sobhanpur, P.S.- Amarpur, District-
Banka

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Fazle Karim, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 21-02-2023 Let the defect(s), if any, be removed within two weeks
from today.

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

The petitioner seeks regular bail in connection with
Amarpur P.S. Case No. 77 of 2022 lodged under Sections 399
and 402 of the I.P.C. read with Sections 25(1-b)a, 26 and 35 of
the Arms Act.

As per the prosecution case, the F.I.R. has been
lodged by the informant on the secret information that 7-8
unknown criminals are sitting at *Balua Maidan* and planning to
commit crime.

Learned counsel for the petitioner submits that the
arrested persons have disclosed the names including the

petitioner. Counsel submits that from the recovery of other persons, arms were recovered but from the petitioner's possession, no arms have been recovered. Counsel for the petitioner submits that the petitioner is in custody since 11.06.2022 and other accused persons who have apprehended on spot have been granted bail by the Co-ordinate Bench of this Court which is Annexure-2 series.

Learned counsel for the State opposes the prayer for bail.

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 Court of C.J.M., Banka in connection with Amarpur P.S. Case No. 77 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.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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