

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70819 of 2024

Arising Out of PS. Case No.-21 Year-2024 Thana- KANTI District- Muzaffarpur

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Md. Nazruddin @ Nazruddin @ Raju S/o Md. Jailuddin Resident of village -
Srisiya Khurd, Police Station - Kanti, Distt. - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Thakur Brajesh Singh, Advocate
For the Opposite Party/s	:	Mr. Jitendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 29-11-2024 Heard learned counsel for the Petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with Kanti Police Station Case No. 21 of 2024, dated 11.01.2024, registered for the offences punishable under Sections 307/34 of the Indian Penal Code and 27 of the Arms Act.

3. As per allegation three unknown persons were found roaming in the NTPC township area, Muzaffarpur. On being questioned by Security Guard, one of them fired injuring a Security Guard and thereafter fled away.

4. Learned counsel for the Petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the FIR has been lodged against the unknown persons and the petitioner was not arrested on spot. He also submits that the petitioner has been arrested only



on the basis on suspicion. Moreover, the seizure has not been made as per the procedure prescribed under Section 100 Cr.PC. He further submits that at most as per seizure, Section 25 of the Arms Act may be applied, for which there is maximum punishment of three years and he has already spent in custody for more than 10 months since 11.01.2024.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in this case.

6. It has further been stated that the petitioner has been made accused in seven other cases.

7. However, the learned APP for the State vehemently opposes the prayer for bail.

8. Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge, Muzaffarpur, in connection with Kanti Police Station Case No. 21 of 2024, S.T. No. 394 of 2024 on the following conditions:

(i) The petitioner will make himself available for



interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not get hampered on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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