

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4310 of 2024

Arising Out of PS. Case No.-588 Year-2023 Thana- HARSIDHI District- East Champaran

Irshad Alam SON OF TABARAK DEVAN RESIDENT OF VILLAGE-
VISHUNPURA, PS- HARSIDHI, DIST- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 05-02-2024 Heard the parties.

2. The petitioner is in custody in connection with Harsidhi P.S. Case No. 588 of 2023 for the offence punishable under sections 399 and 402 of the Indian Penal Code and 25(1-b)a, 26/35 of the Arms Act, lodged on 05.10.2023, by the informant, Raviranjana Kumar.

3. As per the prosecution story, on information, accused persons had assembled to commit loot, they were apprehended and from the petitioner, a country-made loaded pistol recovered/seized. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that he has already suffered much for the said act, by being in custody since 07.10.2023 (para 6 of the petition), further he do not have criminal antecedent.



5. Learned APP opposes the prayer for bail.

6. Taking into account the submission put forward by the parties, as also the period of custody, FIR lodged, he will ultimately be facing the trial and do not have any criminal antecedent, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned C.J.M., Motihar, East Champaran, in connection with Harsidhi P.S. Case No. 588 of 2023 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 bail bond by the Trial Court itself;

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

(iv) 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;

(v) 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.

8. With the aforesaid observations, the bail application
is allowed.

(Rajiv Roy, J)

Adnan/-

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