

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18203 of 2015

Arising Out of PS.Case No. -5 Year- 2012 Thana -DELHA District- GAYA

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1. Kamruddin @ Bilai @ Azad Son of Late Md. Ayub Mian, Resident of Mohalla - Purani Bazar (Masaurhi P.s. Masaurhi District Patna).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha

For the Opposite Party/s : Mr. Parmeshwar Mehta(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

3 24-06-2015

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

The petitioner is languishing in jail custody since 08-01-2012 in a case registered under Sections-4/5 of Explosive Substances Act, 17 CLA Act and Sections-15, 16 & 17 of Unlawful Prevention Activity Act on the accusation that in huge quantity, the explosive substances was recovered from the rented room of the petitioner. The prayer for bail of the petitioner was earlier rejected by this court in anticipation that the trial of the petitioner would be expedited by the concerned court but the report of learned trial court reveals that in spite of several directions, the jail authorities did not produce the petitioner before the court of Ad hoc Additional Sessions Judge-Ist, Gaya. The

aforesaid conduct of jail authorities goes to show that there is no possibility of conclusion of trial of the petitioner in near future. Moreover, having more or less similar allegation, co-accused, Abu Hanzala has already been granted privilege of bail by a coordinate bench of this court vide order dated 10-05-2012 passed in Cr. Misc. No. 16520 of 2012.

Accordingly, the petitioner named above, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Delha P.S. Case No. 05 of 2012 corresponding to Sessions Trial No. 37 of 2013 to the satisfaction of A.D.J. (F.T.C.-I), Gaya subject to condition that the petitioner shall attend the trial court, in person, on each and every date for the period of 9 months or till conclusion of the trial whichever is earlier and if, he fails to do so, on two consecutive dates without any reasonable cause, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

A.K.V./-

(Hemant Kumar Srivastava, J)

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