

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9915 of 2015

Arising Out of PS.Case No. -108 Year- 2013 Thana -MAHESHKHUNT District- KHAGARIA

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1. Md. Tetar son of Late Md. Taib Resident of village- Mirjapur Bardah,
P.S.- Mufassil, District- Munger

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Harun Quareshi

For the Opposite Party/s : Mr. Raj Ballabh Singh (App)

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 18-03-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in connection with Sessions
Case No. 298 of 2013 arising out of Maheshkhunt P.S. Case No.
108 of 2013 registered for the offences punishable under sections
25(1-AA), 26(1) and 35 of the Arms Act.

The prayer for bail of the petitioner was earlier
rejected by this Court vide order dated 24th January, 2014 passed
in Cr.Misc. No. 3422 of 2014 with following observations :-

“The learned First Adhoc Additional Sessions
Judge, Khagaria is directed to expedite the
trial of Sessions Case No. 298 of 2013,
arising out of Maheshkhunt P.S.Case No.108
of 2013 and conclude the same as early as
possible preferably within one year from the
date of receipt/production of a copy of the
order, failing which the petitioner would be
entitled to renew his prayer for bail.”

It has been contended that the petitioner is in

custody since 4th July, 2013. The co-accused Md. Shahnawaz has been granted bail by order dated 27th January, 2014 passed in Cr. Misc. No. 791 of 2014, co-accused Md. Fazlay has been granted bail by order dated 28th March, 2014 passed in Cr.Misc. No. 2568 of 2014 and co-accused Md. Wajir has been granted bail by order dated 7th February, 2014 passed in Cr.Misc. No. 53937 of 2013 by different Benches of this Court. It has further been contended that though the charges were framed by the learned trial court against the petitioner and other co-accused persons on 27th November, 2013 but till date only one witness has been examined. The sole witness had deposed before the court on 15th April, 2014 and since then no other witness has turned up on behalf of the prosecution.

Regard being had to the facts and circumstances of the case, the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Adhoc Additional Sessions Judge, Khagaria in connection with Sessions Case No. 298 of 2013 arising out of Maheshkhunt P.S. Case No. 108 of 2013.

(Ashwani Kumar Singh, J)

Pradeep/-

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