

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.17240 of 2016**

Arising Out of PS.Case No. -85 Year- 2014 Thana -MUNGER MUFFASIL District- MUNGER

Md. Zamil @ Zammo @ Zamo, son of Late Md. Sayeed, resident of  
village-Mirjapur Bardah, P.S.-Muffasil, District-Munger.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Kamal Kishore Jha, Advocate

For the Opposite Party/s : Mr. Abhay Kumar No. 1, APP

**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH**  
**ORAL ORDER**

2 20-04-2016

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

This is the 4<sup>th</sup> attempt by the petitioner for grant of  
bail in connection with Sessions Case No. 118 of 2015 arising  
out of Muffasil P.S. Case No. 85 of 2014 registered under  
Sections 25(1-B)(a), 25(1-AA), 26(i)(2) and 35 of the Arms Act.

According to the prosecution case, a larger number  
of semi-finished magazines and other equipments for  
manufacturing arms were recovered from beneath the stair of the  
house of the petitioner.

It has been contended by the learned counsel for the  
petitioner that the house in question was in joint occupation of  
several other family members and it cannot be said that the  
incriminating articles recovered from the house exclusively

belonged to the petitioner. It is further contended that though the petitioner is in custody since 08.05.2014, only four, out of the ten charge-sheet witnesses, could be examined so far by the prosecution during trial and the last witness was examined in the case on 06.11.2015. Since then, there is no progress in the trial and the trial is not likely to conclude in near future.

Be that as it may, regard being had to the huge recovery of incriminating articles, I am not inclined to grant bail to the petitioner for the present. Accordingly, the application for bail is rejected.

The learned 5<sup>th</sup> Additional District & Sessions Judge, Munger is directed to hold the trial of the petitioner on day-to-day basis and conclude the same within six months 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 in the court below itself. In such an eventuality, the trial court must assign reason while disposing of the bail application as to why the trial could not be concluded within the stipulated period.

**(Ashwani Kumar Singh, J.)**

Sanjeet/-

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