

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22825 of 2016

Arising Out of PS.Case No. -109 Year- 2015 Thana -MUNGER MUFFASIL District- MUNGER

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Md. Pappu, son of Zakruddin, Resident of village- Mirzapur Bardah, P.S.-
Muffasil, District- Munger

.... Petitioner

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rekha Prasad, Adv.

For the Opposite Party/s : Mr. Madan Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 20-07-2016 Heard Smt. Rekha Prasad, learned counsel for the

petitioner and Sri Madan Kumar, learned Addl. Public Prosecutor.

This is the second attempt for grant of bail on behalf of the petitioner. Earlier vide order dated 10.11.2015 passed in Cr.Misc.No.51402 of 2015, the prayer for bail of the petitioner was rejected.

The petitioner, who is in custody since 10.06.2015, as stated in paragraph-14 of the petition, in Muffasil P.S. Case No.109 of 2015 registered for the offence under Sections 25(1b)A, 15(1A), 25(1-AA), 25(1-C), 26(i)(ii) (iii) of the Arms Act, has again made a prayer for grant of bail.

By order dated 22.06.2016, a report was called for from the court below regarding stage of the case, which has been

received and kept at Flag-A. On perusal of the report, it appears that not even a single witness has been examined, whereas earlier while rejecting the prayer for bail of the petitioner, this Court had observed for early disposal of the case.

Keeping in view nature of accusation, period of custody as well as non-adequate progress of the trial, let the petitioner, namely, Md. Pappu be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 5th Addl. Sessions Judge, Munger in S.T. No.40 of 2016 (arising out of Munger Muffasil P.S. Case no.109 of 2015) with conditions that (i) one of the bailors must be blood relation of the petitioner and (ii) on each and every date, before the trial court, the petitioner shall remain physically present. If continuously on two dates, the petitioner fails to appear before the trial court without prior permission of the trial court, his bail bond shall stand automatically cancelled.

(Rakesh Kumar, J)

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