

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.34804 of 2016**

Arising Out of PS.Case No. -117 Year- 2014 Thana -KOTWALI District- MUNGER

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MD. SAHNAWAZ ALAM @ SAHNAWAZ ALAM @  
MD.SAHNAWAZ Son of Moyeemuddin Resident of Village-  
TopkhnaBazar (Choti Kelabari), P.S. Kotwali, P.O. and District Munger.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Pawan Kumar Singh

For the Opposite Party/s : Mr. Sri Sunil Kumar Pandey

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**CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR**  
**MANDAL**  
**ORAL ORDER**

4      10-11-2016      Heard the counsel for the petitioner and Mr. Sunil Kumar  
Pandey, learned APP for the State.

The petitioner seeks bail in Munger Kotwali P.S. Case  
No. 117 of 2014 registered under sections 25(1-b) a, 26(i), (ii), 35  
& 25(1-AA) of the Arms Act.

As per the prosecution case, on a search made of the bag  
held by the petitioner, huge number of country-made pistols were  
recovered. The petitioner earlier moved this Court for bail in Cr.  
Misc. No. 35651 of 2014. The same was considered and rejected  
vide order dated 27.01.2015 (Annexure-1) directing the trial court  
to expedite the trial.

A report from the trial court about the status of the case  
was called for which is placed at Flag-C. It appears therefrom that  
the case has already been committed to the court of sessions and

hanging fire for framing of charge. Two other accused persons had filed petition for discharge and the same is in the process of consideration and disposal. However, it appears therefrom that the charges till date have not been framed against the petitioner. The petitioner is in custody since 09.04.2014.

Considering the facts and circumstances of the case, this Court while declining the prayer for bail, disposed of the application by the following order:-

Let the trial court take steps for framing of charge against the petitioner. No sooner the charges are framed, the petitioner above named shall be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Munger on condition that one of the bailors shall be his own/close family member. The petitioner shall continue to appear in the court personally on each date fixed thereat. In case he skips his appearance on two consecutive dates, the trial court shall be at liberty to cancel his bail bonds and secure his arrest in accordance with law.

**(Kishore Kumar Mandal, J)**

HR/-

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