

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9399 of 2016

Arising Out of PS.Case No. -258 Year- 2008 Thana -MUNGER MUFFASIL District- MUNGER

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Md. Kasim, son of Late Md. Hashim @ Hatim, resident of Village Mirzapur Bardah, Police Station Muffasil, District Munger.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

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

For the Opposite Party/s : Mr. H.A. Khan (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

3 27-07-2016 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered under Section 25(1-A), 25(1-AA), 25(1-B)AC, 26 (i) (ii), (iii) and 35 of the Arms Act.

Earlier the prayer for bail of the petitioner was rejected by this Court vide order dated 18.8.2015 passed in Cr. Misc. No.32901 of 2015 but submission on behalf of the petitioner is that petitioner is in jail custody since 3.2.2015 and after that not a single prosecution witness could be examined which is evident from the report of the learned trial court.

Considering the period of detention of the petitioner in jail custody as well as this aspect of the matter that there is no

substantive progress in the trial of the petitioner, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of A.D.J. III, Munger in connection with Sessions Trial No.117 of 2015 arising out of Muffasil P.S. Case No.258 of 2008, subject to the condition that one of the sureties must be close relative of the petitioner and further petitioner shall attend the trial court on each and every date in person for the period of seven months or till conclusion of his trial whichever is earlier and if he fails to do so on two consecutive dates without any reasonable cause, the concerned trial court shall be at liberty to cancel the bail bonds of the petitioner after due and proper enquiry.

(Hemant Kumar Srivastava, J)

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