

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.54428 of 2016

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

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Rasool Akhtar @ Md. Rasool Akhtar son of Late Moimuddin resident of
village - Choti Kelabari, P.S. - Kotwali, District - Munger. Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ram Hriday Prasad

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

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 21-12-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner wants to renew his prayer of bail, which was earlier rejected vide order dated 27.01.2015 passed in Cr. Misc. No. 43228 of 2014, on the ground that now in this case other co-accused Md. Sahnawaz Alam @ Sahnawaz Alam @ Md. Sahnawaz has been allowed bail vide order dated 10.11.2016 passed in Cr. Misc. No. 34804 of 2016 against whom there was allegation that from his possession 33 pistols were recovered and allegedly, from possession of the petitioner 22 pistols have been recovered. Charges have already been framed and up-till-now no prosecution witness has been examined and the petitioner is in custody since 09.04.2014.

Learned APP fairly submits that co-accused Md. Sahnawaz Alam @ Sahnawaz Alam @ Md. Sahnawaz has been



allowed bail by another co-ordinate Bench of this Court.

In the facts and circumstances stated above, considering that after framing of charge co-accused Md. Sahnawaz Alam @ Sahnawaz Alam @ Md. Sahnawaz has been allowed bail, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Munger in connection with Kotwali P.S. Case No. 117 of 2014, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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