

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22942 of 2016

Arising Out of PS.Case No. -242 Year- 2015 Thana -MUNGER MUFFASIL District- MUNGER

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Md. Jafar son of Late Md. Sakir, Resident of village- Mirjapur Bardah,
Police Station- Mufassil, District- Munger.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Md. Harun Quareshi

For the Opposite Party/s : Mr. S.Dayal(App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 24-05-2016 Heard learned counsel for the petitioner and the learned
Additional Public Prosecutor, appearing on behalf of the State.

This application for grant of regular bail arises out of
Mufassil P.S.Case No. 242/2015, disclosing offences under
sections 25(1-b)A, 25(1-A), 25(1-AA), 26(i)(ii)(iii) of the Arms
Act.

The petitioner is in custody since 26.11.2015. There are
eight persons named in the First Information Report. All of them
are said to have been arrested by the police on the allegation that
they were engaged in illegal manufacturing fire arms.

Learned counsel for the petitioner has submitted that all
other co-accused have been granted regular bail by this Court. He
has placed before me a web copy of the order dated 3.5.2016
passed in Cr.Misc.No. 18709/2016, whereby Md. Sadrul has been



granted regular bail by this Court. There is statement in paragraph 3 of the application that the petitioner has criminal antecedent, inasmuch as there is a case pending arising out of Mufassil P.S.Case No. 137/2005 for offences punishable under sections 26(1-A), 25(1-AA), 25(1-B) of the Arms Act.

Learned Addl. Public Prosecutor has opposed the prayer referring to the fact that the petitioner has criminal antecedent.

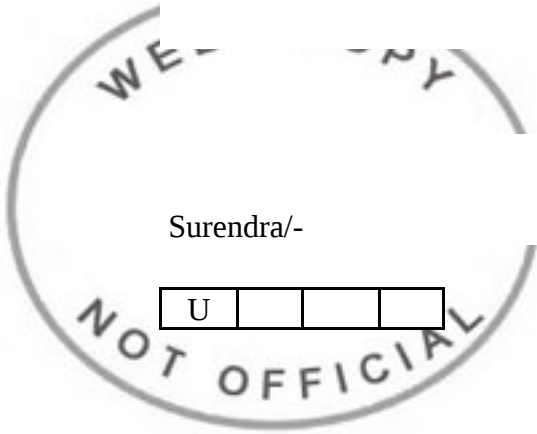
However, considering the fact that similarly circumstanced to-accused has been granted regular bail, this application is allowed.

Let the petitioner, abovenamed, 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 the S.D.J.M., Munger in Mufassil P.S.Case No. 242/2015.

This is subject to the condition that the petitioner shall present himself before the police/ court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

Since it has been pointed out that a criminal case is pending against the petitioner since 2005, it is made clear that if the petitioner abstains himself from trial of the aforesaid Mufassil

P.S.Case No. 137/2005, prosecution shall be at liberty to approach
this Court for cancellation of bail granted by the present order.



Surendra/-

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(Chakradhari Sharan Singh, J)