

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20414 of 2017

Arising Out of PS.Case No. -48 Year- 2009 Thana -MUNGER MUFFASIL District- MUNGER

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1. Md. Imteyaz Son of Md. Aslam resident of Colony - Mirjapur , Bardah,
Police Station - Munger (Muffasil), District - Munger.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash, Adv.

For the Opposite Party/s : Mr. Sri Shyam Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 03-05-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

By way of the present application preferred under
Sections 439 and 440 of the Code of Criminal Procedure, the
petitioner has renewed his prayer for bail in connection with
Munger Muffasil P.S.Case No. 48 of 2009 corresponding to
Sessions Trial No. 326 of 2014 registered under Sections 25(1-A),
25(1-AA), 25(1-B)(a)(c), 26(1)(2)(3) and 35 of the Arms Act.

The prayer for bail of the petitioner was earlier
rejected by this Court vide order dated 19.09.2016 with following
observation :-

“In case the trial is not concluded within six
months from the date of receipt of a copy of
the order before the court below, the petitioner
would be at liberty to renew his prayer for
bail.”



It is contended by the learned counsel for the petitioner that though six months have elapsed since the date of receipt of the order in the court below, the trial has not been concluded and there is no likelihood of conclusion of the trial in near future. It is also contended that the co-accused Md. Pervez whose case is identical to that of the petitioner has already been granted bail by a Bench of this Court vide order dated 14.01.2015 passed in Cr.Misc. No. 1013 of 2015.

Considering the submissions made above, the petitioner Md. Imteyaz is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-V, Munger in connection with Munger Muffasil P.S.Case No. 48 of 2009 corresponding to Sessions Trial No. 326 of 2014.

(Ashwani Kumar Singh, J)

Pradeep/-

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