

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.3317 of 2017

Arising Out of PS.Case No. -259 Year- 2003 Thana -MUNGER MUFFASIL District- MUNGER

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Md. Ekwat Ahmad @ Md. Ekwat @ Laltu, Son of Md. Shakil Ahmad,
resident of Village Mirzapur, Bardah, P.S. Muffasil, District- Munger.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Y. C. Verma, Sr. Advocate

Mr. Kamal Kishore Jha

For the Opposite Party/s : Mr. Smt Renu Kumari

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

ORAL ORDER

2 20-02-2017 Heard learned Sr. Counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Muffasil
P.S. Case No. 259 of 2003 registered for the offences punishable under
Sections 25(1-A) 25(1-AA), 25(1-B)AC, 26/35 of the Arms Act.

Allegedly, Wakil and Md. Usman were apprehended
during raid and they disclosed the name of other co-accused who have
fled away including one Laltu.

Submission is of false implication and that Md. Laltu
whose alias name was Irfan died on 30.10.2006 in an accident and the
petitioner is working in CISF but on the petition filed by one accused
Md. Jitan @ Shamsher Chand of Muffasil P.S. Case No. 157 of 2014,
court came to the motion and process was issued on 29.09.2016 and a
detail order was passed on wrong submission of the State, other co-
accused have been granted bail by the learned Sessions Judge, Munger



and the case of the petitioner stands on similar footing and on identical footing.

Learned APP submits that this is a case of the year 2003 and the petitioner remained absconding.

In the facts and circumstances stated above, considering that chargesheet has been submitted against one Md. Laltu and from the death certificate vide annexure-2 it reveals that Md. Irfan @ Laltu died on 30.10.2016, against the petitioner process was issued on 29.09.2016, 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 Additional Sessions Judge 5th, Munger in S. T. No. 782 of 2013 arising out of Muffasil P.S. Case No. 259 of 2003, 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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