

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23036 of 2018

Arising Out of PS. Case No.-155 Year-2009 Thana- CHAKAI District- Jamui

Md. Salam Khan, Son of Late Subhan Khan alias Suman Khan, resident of
Village - Gongakura, P.S. Jhajha, District - Jamui.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Prasad, Advocate

For the Opposite Party/s : Smt. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 20-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks regular bail in a case registered for
the offences punishable under Sections 414,120(B),121/34 of
the IPC, Sections 3,4 and 5 of Explosive Substance Act, Section
10,10B,13 of Unlawful Activities and Section 17 of C.L.A. Act.

Petitioner is one of the accused in Chakai P.S. Case
No. 155 of 2009, corresponding to S.Tr. No. 452 of 2010. The
petitioner was convicted in the aforesaid Sessions Trial.
Thereafter, the petitioner challenged the conviction in Cr.
Appeal (SJ) No. 220 of 2015 and by order dated 04.06.2015,
this Court has granted bail to the petitioner, considering his
custody since 03.12.2009.

Finally the appeal was disposed of along with some



other criminal appeals preferred by other co-accused, for retrial vide judgment at Annexure-3 dated 12.10.2017. Thereafter, the petitioner appeared before the learned trial judge for facing trial and prayer for bail has been refused by the impugned order.

The aforesaid factual position are itself, sufficient to grant bail to the petitioner.

Accordingly, the regular bail petition is allowed.

Considering the entire facts and circumstances of the aforesaid case, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Rs. Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with S.Tr. No. 452 of 2010 arising out of Chakai P.S. Case No. 155 of 2009, subject to the condition that the petitioner shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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