

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50396 of 2018

Arising Out of PS. Case No.-705 Year-2017 Thana- PHULWARISHARIF District- Patna

Md. Parvez Alam @ Parvez Alam S/o Late Md. Abdul Hafizuddin, R/o Vill.-
Gauragarh, P.S.- Bihar (Bihar Sharif), District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lakshmi Kant Sharma
For the Opposite Party/s : Mr. Sri Panchanand Pandit

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 08-10-2018 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Phulwari Sharif P. S.
Case No. 705 of 2017 instituted for the offence under
Section(s) 25(1-B)a, 26 and 35 of the Arms Act.

Prayer for bail of the petitioner was earlier rejected by
order dated 26.4.2018 passed in Cr. Misc. no. 24600 of 2018

Petitioner is in custody since 7.11.2017. The other co
accused persons, namely, Naresh Kumar and Krishna Prasad
have already been granted bail by coordinate Bench of the Court
vide Cr. Misc. no. 21771 of 2018 and 17207 of 2018.

The prayer for bail of the petitioner was earlier
rejected by this court only on the ground that he had criminal



antecedent.

Learned counsel for the petitioner has submitted that after rejection of his bail no substantial progress has been made in the trial in the Court below.

A report was called for from the Court below which has been received. From perusal of the report, it appears that charge has not been framed in this case.

Considering the aforesaid and also keeping in view the period of custody already undergone by the petitioner let the petitioner, above named, 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 Sub-Judge-XVth-cum Additional Chief Judicial Magistrate, Patna , in connection with Phulwari Sharif P. S. Case No. 705 of 2017 subject to the condition that both the bailers shall be the close relative of the petitioner. The petitioner will remain present on every date of trial and absence of petitioner on two consecutive dates without valid reason will amount to cancellation of his bail bond.

(Sanjay Priya, J)

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