

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8248 of 2019

Arising Out of PS. Case No.-112 Year-2017 Thana- KHANPURA District- Samastipur

Ajay Rai @ Ajay Ray @ Ajay Kumar Roy, aged about 46 years (M) son of Late Bindu Rai, Resident of Village- Musapr, P.S.- Kalyanpur, District Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh
For the Opposite Party/s : Mr.Ansar Ul Haque

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 13-02-2019 Heard the learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Khanpur P.S. Case No. 112 of 2017 registered for the offence punishable under Sections 25(1-B) (a), 26 and 35 of the Arms Act.

The allegation is regarding recovery of one country made pistol and live cartridges from the possession of the petitioner herein.

The prayer of bail of the petitioner was rejected earlier by a coordinate Bench of this Court on 26.03.2018, however, with an observation that in case the trial is not concluded within six months, the petitioner may renew his prayer for bail.



The learned counsel for the petitioner has submitted that as far as the trial is concerned, only one prosecution witness has been examined till date and there is no likelihood of completion of trial in near future. It is further submitted that the petitioner is languishing in custody since more than one year and five months. It is also submitted that though there are two other cases pending against the petitioner but the petitioner has been exonerated in one case and he is on bail in the other case.

Having regard to the facts and circumstances of the case, the petitioner, above named, is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Samastipur in connection with Khanpur P.S. Case No. 112 of 2017.

(Mohit Kumar Shah, J)

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