

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79 of 2019

Arising Out of PS. Case No.-332 Year-2017 Thana- MOUZAHDIPUR District- Bhagalpur

Md. Rahmat Quraishi @ Md. Rahmat, son of Yasin Kuraishi @ Md. Yasin Quraishi, Resident of Mohalla- Maulanachak, Police Station- Mojahidpur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md. Najmul Hodda, Advocate.

For the Opposite Party/s : Mr. Ramchandra Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 01-02-2019 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in **Mojahidpur P.S. Case No. 332 of 2017**, instituted for the offence under Section(s) 25(1-B)A and 26 of the Arms Act.

Prayer of the petitioner for grant of bail was earlier rejected by coordinate Bench of this Court vide order dated 3.8.2018 passed in Cr. Misc. 29495 of 2018.

It is alleged in the written report that one loaded country made pistol and one Mobile phone have been recovered from possession of this petitioner.

Learned A.P.P. submits that total 15 cases are pending against the petitioner.



Report was called for from the court below which has been received. From the report it appears that after framing of charge dated 22.2.2018, the case is pending for evidence. four witnesses have been examined till date.

Counsel for the petitioner submits that petitioner is in custody since 3.11.2017.

Keeping in view the period spent by the petitioner in custody and there is no likelihood of conclusion of the trial within six months, prayer for bail of the petitioner is allowed. 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 **learned Chief Judicial Magistrate, Bhagalpur**, in connection with **Mojahidpur P.S. Case No. 332 of 2017**, subject to the condition that both the bailors will be the close relatives of the petitioner with further conditions which are as follows:

(i) Petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court (ii) In absence on two consecutive dates without any valid reason, the bail bonds of the petitioner will liable to be cancelled and (iii) if petitioner tampers with the evidence or the witnesses of the



case, in that event, prosecution will be at liberty to move for
cancellation of bail of the petitioner.

(Sanjay Priya, J)

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