

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17503 of 2019

Arising Out of PS. Case No.-52 Year-2018 Thana- PIRI BAZAR District- Lakhisarai *

ABINASH KUMAR Son of Sant Lal Paswan Resident of Village -
Maheshpur, P.S.- Piri Bazar, Distt - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jai Prakash Singh

For the Opposite Party/s : Mr.Pancha Nand Pandit

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 27-03-2019 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in Piri Bazar P.S. Case No.
52/2018, corresponding to S. Tr. No. 182/2018, instituted for offence
under Section(s) 25(1-b)a 26(i) (ii) and 35 of Arms Act.

Earlier prayer for bail of the petitioner was rejected by this
Court in Cr. Misc. No. 53755/2018 dated 01.10.2018 with direction
to the petitioner to renew the prayer for bail after four months if no
substantive progress is made in trial.

Learned counsel for the petitioner has submitted that
petitioner has moved before the court below for grant of bail, which
has been rejected on 08.02.2019.

From the impugned order dated 08.02.2019 it appears
that charge has been framed in this case on 17.07.2018. Case is
pending for evidence.

In the written, there is allegation that one country made



pistol and 30 live cartridges were recovered from possession of petitioner.

Petitioner is in custody since 11.05.2018.

Keeping in view the fact that no substantive progress has been made in trial and petitioner is in custody since 11.05.2018, prayer of the petitioner for grant of bail 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 the learned 2nd A.D.J.-cum-Special Judge, Excise, Lakhisarai, in connection with Piri Bazar P.S. Case No. 52/2018, corresponding to S. Tr. No. 182/2018, subject to the conditions that

- (I) both the bailors shall be the close relative of the petitioner.
- (II) Petitioner shall be present on each and every date fixed by the court and absence on two consecutive dates without valid reason will result in cancellation of bail bond of the petitioner.

(Sanjay Priya, J)

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