

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 1062 of 2019

Arising Out of PS. Case No.- 456 Year-2015 Thana- Civil Line District- Gaya

Md. Irfan Son of Late Zaheer Khan, resident of Village- Hamzapur P.S Amas,
District Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sheikh Arkan Ahmad

For the Opposite Party/s : Mr. Manish Kumar 2

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 16-01-2019 Heard Mr. Sheikh Arkan Ahmad, learned counsel for
the petitioner and learned Addl. Public Prosecutor.

The petitioner, who is in custody since 13-04-2018 in
Civil Line P.S. Case No. 456 of 2015 registered for offence
under Sections 25(1-B)A, 26, 27, 35 of Arms Act, 1959 and
Sections 3/4 of the Explosive Substances Act, 1908, has prayed
for grant of bail.

Earlier, the bail petition of the petitioner, vide Cr.
Misc. No. 49491 of 2018, was disposed of on 10-10-2018. The
earlier petition was disposed of after noticing the fact that
though petitioner had remained in custody for 90 days,
chargesheet was not submitted. However, it transpired that
before the last order i.e. order dated 10-10-2018, the chargesheet
was submitted on 01-10-2018, as stated in paragraph – 5 of the



petition, and as such, the petitioner was not entitled to get statutory bail. The prayer for bail has been made on the ground of parity also.

Learned counsel for the petitioner has drawn my attention to Annexure – 4 to the present petition to show that other two accused persons, almost in similar circumstance, namely Md. Rizwan @ Rizzu and Md. Shakil Mian have been granted bail.

Considering the nature of accusation as well as the fact that other two accused persons have been released on bail, let the petitioner namely Md. Irfan be enlarged on bail on furnishing bail bond of **Rs. 10,000/-** (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Ramesh Kumar, learned Judicial Magistrate 1st Class, Gaya in connection with Civil Line P.S. Case No. 456 of 2015.

(Rakesh Kumar, J.)

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