

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41203 of 2019

Arising Out of PS. Case No.-502 Year-2017 Thana- NATHNAGAR District- Bhagalpur

MD. CHAND Son of Late Md. Samshir @ Samsher Resident of Mohalla-
Momin Tola, Nathnagar, P.S.-Nathnagar, District-Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha

For the Opposite Party/s : Mr.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 24-07-2019 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in Nathnagar P.S. Case No.
502/2017, instituted for offence under Section 307 of the Indian
Penal Code read with Section 27 of Arms Act.

Earlier prayer for bail of petitioner was rejected by
this Court vide order dated 05.12.2018 passed in Cr. Misc. No.
51386/2018 with direction to the court below to conclude the
trial within six months.

In the written report there is allegation against this
petitioner of causing firearm injury in the left hand and waist of
informant.

Report from the court below about stage of trial has
been received.



It appears from the report that trial has not been concluded. Six witnesses have been examined till date.

The court below seeks four months further time to dispose off the case.

Petitioner is in custody since 13.10.2017.

There is no injury on any vital part of body of informant. The trial court has not concluded the trial within six months as mentioned above.

Therefore, 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 A.D.J. Ixth, Bhagalpur, in connection with S.T. No. 140/2018, corresponding to Nathnagar P.S. Case No. 502/2017, 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 and

(III) if petitioner tamper with the evidence
in the case, prosecution will be at
liberty to move for cancellation of bail
bond of the petitioner.

(Sanjay Priya, J)

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