

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21229 of 2020

Arising Out of PS. Case No.-13 Year-2019 Thana- MORO District- Darbhanga

MD. IMRAN @ MD. IMRAN KHAN Son of Md. Waseer Khan @ Md. Waseem @ Waseer Resident of Village- Auliyabad, P.S.- Hayaghat, Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kishore Thakur

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 24-07-2020 The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.

Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner seeks regular bail in connection with **Moro P.S. Case No. 13 of 2019** registered for the offence punishable under section 25(1-b) a, 26, 35 of the Arms Act.

Earlier the bail of the petitioner was rejected vide order dated 27.09.2019 passed in Criminal Miscellaneous No. 41470 of 2019 with liberty to renew his prayer for bail after one year of custody.

Allegation is recovery of one country made pistol and five live cartridges from the possession of petitioner.



It has been submitted on behalf of the petitioner that nothing was recovered from his possession and he has been framed in this case. Petitioner is in custody since 12.05.2019.

Although the learned trial court has observed that trial is at its fag end and the case is fixed for argument. However, taking into consideration present pandemic situation, let the petitioner named above be released on bail on furnishing bail bond of Rs. 20,000/- with two sureties of the like amount in connection with **Moro P.S. Case No. 13 of 2019** to the satisfaction of learned court below where the case is pending, subject to the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and valid reason, the trial court shall have liberty to cancel his bail bonds.

(2) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(3) If the petitioner is found involved in similar nature of offence, after his release on bail the trial court shall take steps to cancel his bail bonds.

(S. Kumar, J)

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