

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26005 of 2020

Arising Out of PS. Case No.-478 Year-2019 Thana- PHULWARISHARIF District- Patna

MD. MERAJ @ MANNA, aged about 26 years, Male, Son of Abdul Kayum,
R/o Mohalla Old Imarat Sariya, P.S.- Phulwari Sharif, Dist.- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Awadhesh Kumar, Advocate.

For the Opposite Party : Mr. Ram Bilash Roy Raman, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-10-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading 'For
Orders' under the orders of Hon'ble the Chief Justice.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks after restoration of normalcy.

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

The petitioner seeks bail in a case for the offence
registered under Sections 401, 413 of the I.P.C. and Sections
25(1-b)a, 25 AA, 26 and 35 of the Arms Act.

The prosecution story, in brief, is that one country
made pistol alongwith four live cartridges is said to have been



recovered from the pocket of the petitioner.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 18.05.2019. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. One country made pistol alongwith four live cartridges is said to have been recovered from the pocket of the petitioner. There is no compliance of Section 100 of Cr. P.C. The petitioner has remained in custody for more than one year. There is no chance of trial being concluded in near future.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the facts and circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-IV, Patna, in connection with Phulwari Sharif P.S. Case No. 478/2019.

(Sudhir Singh, J)

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