

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62077 of 2019

Arising Out of PS. Case No.-57 Year-2018 Thana- CHAKIA District- East Champaran

MD. ALI @ ALI JAHAN @ MD. ALI JAHAN @ KAISHAR Son of Md. Jahir Hussain Resident of Village- Agrawa near railway Line, P.S.- Motihari Town, District- East Champaran. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Adv

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 04-03-2020 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 399,402,414 and 413 of I.P.C, Sections 25(1-b) a, 26, 35 of the Arms Act and Sections 20, 22, 23, 24, 27 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

A country made loaded pistol and five live cartridges were recovered from possession of the petitioner. Petitioner is carrying criminal antecedent of serious nature of cases of robbery and murder. Petitioner is in custody since 24.03.2018.

In the past, prayer for bail was refused on 24.04.2019 with direction to the learned Trial Judge to expedite the trial.

The report of the learned Trial Judge vide his letter dated 18.01.2020 reveals that even charges have not been



framed mainly for the reason that two other accused, who were on bail, jumped over, and for their arrest, process was issued.

Considering the facts of this case, let the petitioner, above named, be released on bail **after framing of the charge** on furnishing bail bond of Rs.50,000/- (Fifty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with N.D.P.S. Case No.18 of 2018 arising out of Chakia P.S.Case No.57 of 2018, subject to the condition that both bailors shall be resident of territorial jurisdiction of the learned court below having immovable property and further the petitioner shall fully cooperate with the trial of the case as well as the petitioner shall not leave the country without permission of the learned Trial Court, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

If the learned Trial Judge would feel needed, the trial of the petitioner be separated from the absconders.

(Birendra Kumar, J)

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