

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24308 of 2021

Arising Out of PS. Case No.-149 Year-2019 Thana- AMAUR District- Purnia

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MD. RAHIM @ RAHIM SAGAR SON OF MD. QUADIR R/O VILLAGE-
BHAWANIPUR, P.S.- AMOUR, DISTRICT- PURNEA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K.Agrawal, Sr. Advocate

Dr. Bidhu Ranjan, Adv.

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 21-12-2021 Heard learned senior counsel for the petitioner and

learned A.P.P. for the State.

The petitioner has renewed his prayer for grant of
regular bail in a case registered under section 394 of the Indian
Penal Code and section 27 of the Arms Act.

As per the prosecution case, the two accused
persons are stated to have assaulted the informant and of having
snatched the keys of his motorcycle and taken the bag
containing Rs.4 lacs. They also fired on the informant and
escaped with the amount.

It is submitted by learned senior counsel for the
petitioner that the earlier application for bail of the petitioner
was rejected vide order dated 2.7.2020 (Annexure-1) passed in



Cr. Misc. no.9652 of 2020 observing that the bail was being rejected at this stage. Inspite of the petitioner being in custody since 4.10.2019 there is no progress whatsoever in the learned trial court and no chance of the trial concluding in the near future.

The application for bail is opposed by learned A.P.P. for the State who submits that the petitioner was apprehended and incriminating articles were recovered from the petitioner's possession. The petitioner also has criminal antecedent.

A report was called for from the learned trial court. From the report contained in letter dated 30.11.2021 of the learned 3rd Additional District and Sessions Judge, Purnea, charge was framed in the case on 12.11.2020, however no witness has been produced on behalf of the prosecution till date.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the observation in the earlier order of rejection dated 2.7.2020 as also the contents of the report of the learned court below as per which no witness has been produced by the prosecution and the petitioner having remained in custody for over 2 years, the Court directs the petitioner to be enlarged on bail in connection with Sessions



Trial no.149 of 2020 (arising out of Amour P.S. Case no.149 of 2019) on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 3rd Additional Sessions Judge, Purnea.

(Partha Sarthy, J)

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