

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27818 of 2021

Arising Out of PS. Case No.-12 Year-2017 Thana- CIVIL LINE District- Gaya

SHANE ALI KHAN Son of Late Jangli Khan Resident of Village- Samsabad,
P.S.- Imamganj, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. D.K.Sinha, Sr. Adv.

Mr. Abhinay Raj, Adv.

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 29-11-2021 Heard learned senior counsel appearing for the
petitioner and learned A.P.P. for the State.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 420, 467, 468,
471 and 34 of the Indian Penal Code and sections 25(1-B)(a)
and 26 of the Arms Act.

As per the prosecution case, after being arrested in a
case registered under sections 302 and 34 of the Indian Penal
Code besides other sections, it is stated that a raid was
conducted on the rented house of the petitioner on the basis of
his confession. 16 live cartridges and one arm license were
recovered.

It is submitted by learned senior counsel appearing for



the petitioner that the petitioner has been falsely implicated in the case. He has already been enlarged on bail in connection with Kothi P.S. Case no.38 of 2016, the connected case under section 302 of the Indian Penal Code. The petitioner is in custody in the instant case since 17.6.2017 and there is no progress in the trial in the learned trial court.

Heard learned A.P.P. for the State.

A report was called for with respect to the stage of trial. As per report received contained in letter dated 2.11.2021 of the Judicial Magistrate 1st Class, Gaya, no witness has been examined in the learned court below.

Having heard learned counsel for the parties and taking into consideration the facts of the case especially the petitioner having remained in custody for more than 4 years since 17.6.2017, the Court directs the petitioner to be enlarged on bail in connection with Civil Line P.S. Case no.12 of 2017 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 Judicial Magistrate 1st Class, Gaya.

(Partha Sarthy, J)

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