

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39425 of 2021

Arising Out of PS. Case No.-310 Year-2018 Thana- JANDAHA District- Vaishali

MD. AJAJ @ MD. ILLIYASH Sonof Md. Idrish Miya R/o Village- Chand Savai, P.S.- Jandaha, District- Vaishali at Hajipur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niranjan Parihar, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

5 22-12-2021 Heard Mr. Niranjan Parihar, learned counsel for the petitioner and Mr. Jagdhar Prasad, learned Additional Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with Jandaha P.S. Case No. 310 of 2018 registered for the offences punishable under Sections 147, 148, 149, 302, 307, 326, 384 of the Indian Penal Code 1860, Section 27 of the Arms Act and Section 3 of Explosives Substance Act.

This is second attempt for grant of regular bail on behalf of the petitioner inasmuch as earlier the bail application of the petitioner was rejected by this Court vide order dated 01.03.2021 passed in Cr. Misc. 28596 of 2020.

Learned counsel for the petitioner submits that after the bail application of the petitioner was rejected by this Court, the other co-accused persons have been granted bail by co-



ordinate Benches of this Court vide orders dated 16.3.2021, 9.8.2021 and 10.8.2021 passed in Cr. Misc. 4130 of 2021, 21419 of 2021 and 13626 of 2021 respectively.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that the bail application of the petitioner was rejected on merit by this Court, however, subsequent bail granted by co-ordinate Benches of this Court did not consider the rejection of the bail of the petitioner by this Court which was prior in time i.e. on 1.3.2021 and since the bail application of the petitioner was rejected on merit after due consideration, I am not inclined to grant regular bail to the petitioner, merely because subsequently another Benches have granted bail to the co-accused persons.

Accordingly, the prayer for bail of the petitioner stands rejected.

However, petitioner may renew his prayer for bail after one year from today if the trial does not show any progress.

(Anil Kumar Sinha, J)

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