

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.7072 of 2021**

Arising Out of PS. Case No.-201 Year-2019 Thana- AIRPORT District- Patna

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MOHAMMAD EAJAJ Son of Mohammad Nayeem Resident of Village -
Muslim Road, P.S.- Godapuri, Distt.- Nawada, At Present resident of
Sabjibaag Kutubuddin Lane, renter of Jameer, P.S.- Pirbahoor, Dist.- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Alka Verma, Advocate

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 09-07-2021 Learned counsel for the petitioner undertakes to remove

all the defects pointed out by the Stamp Reporter within four weeks

after start of normal functioning of the Court.

Heard learned counsel for the petitioner and

Mr.Akhileshwar Dayal, learned APP for the State.

This is the second attempt of the petitioner for seeking

regular bail in connection with Hawaii Adda P.S. Case No. 201 of

2019 registered for the offences punishable under Sections 25(1-B)a,

26 of the Arms Act.

Learned counsel for the petitioner submits that as per the

prosecution story, one country made Katta and Rs. 40400/- were

recovered from the bag of this petitioner during the course of

screening the luggage at the airport.

Learned counsel submits that the petitioner is innocent and



has falsely been implicated in the present case to ruin his future. The petitioner is in custody since 26.7.2019 having no criminal antecedent.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein the prayer for bail of the petitioner was rejected earlier by learned coordinate Bench of this Court considering the gravity and the nature of accusation, this Court is not inclined to release the petitioner on bail at this stage.

This Court is however willing to consider the submission of learned counsel for the petitioner that the trial is required to be expedited because the petitioner is in custody since 26.7.2019. The learned trial Court has given its report and it appears from that the charge has already been framed.

Considering this fact, this Court directs the learned trial court to conclude the trial as early as possible preferably within a period of six months from the date of normal start of functioning of the Court. If the trial remains unconcluded for no reason attributable to this petitioner, he may renew his prayer for bail.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

