

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6943 of 2022

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

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MOHAMMAD EZAZ @ MD. EAJAJ Son of Md. Nayeem Resident of
Mohalla- Muslim Road, P.S.- Godapur, District- Nawada, At present
Sabzibagh, Qutubuddin Lane Renter of Jamil, P.S.- Purbahore, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pritish Kumar Lal, Advocate

Mr. Pramod Kumar, Advocate

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 31-08-2022 Heard Mr. Pritish Kumar Lal, learned counsel for

the petitioner and Mr. Mithlesh Kumar Khare, learned A.P.P.

for the State.

This is the third attempt of the petitioner for
obtaining regular bail in connection with Hawaii Adda P.S.
Case No. 201 of 2019 registered for the offences punishable
under Section 25(1-b)a, 26 of the Arms Act. He is in custody
since 26.07.2019 having no criminal antecedent as stated in
paragraph '3' of the application.

Learned counsel for the petitioner submits that as
per the prosecution story, one country made katta and Rs.
40,400/- were recovered from the bag of this petitioner during
the course of screening the luggage at the Airport. Learned



counsel submits that petitioner has been falsely implicated in this case, however he is in custody since 26.07.2019.

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

Having regard to the observation of this court in it's order dated 09.07.2021 passed in Cr. Misc. No. 7072 of 2021 granting liberty to the petitioner to move this court afresh if the trial is not concluded within a period of six months from the date of normal start of functioning of the court and for no reason attributable to the petitioner and further that petitioner is in custody since 26.07.2019 in a Magistrate triable case, this Court directs release of the petitioner above-named on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of Smt. Tanveer Kour, learned Judicial Magistrate – 1st, Patna in connection with Hawai Adda P.S. Case No. 201 of 2019, subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for



cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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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'.

