

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8197 of 2023

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

MD. AJAJ @ MD. ILLIYAS Son of Md. Idrish Miya @ Indris Miya R/O
Village - Chand Sarai, P.S.- Jandaha, District - Vaishali at Hazipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niranjan Parihar

For the Opposite Party/s : Mr. Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 6 08-12-2023 1. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. The petitioner has renewed his prayer for bail in connection with Jandaha Police Station Case no. 310 of 2018 registered under section 147, 148, 149, 302, 307, 326, 384 of the Indian Penal Code and Section 27 of the Arms Act, Section 3 of the Explosive Act and Section 13, 16, 19, 20 of the Unlawful Activities Prevention Act, 1967.
3. The petitioner is in custody since 13.08.2019.
4. Earlier, vide order dated 01.03.2021, passed in Cr. Misc. No. 28596 of 2020 and order dated 22.12.2021 passed in Cr. Misc. No. 39425 of 2021, this Court rejected the prayer for bail of the petitioner after finding *prima facie* materials against him.



5. Learned counsel for the petitioner relies upon the order, dated 26.07.2023, passed in Cr. Misc. No. 49859 of 2022, and submits that similarly situated accused person, namely Amarnath Sahni, whose bail application was rejected earlier and he is also in custody since 13.08.2019, a Bench of this Court has given liberty to the petitioner to renew his prayer for bail after deposition of the injured witness during the course of trial.

6. Taking into consideration the submission of learned counsel for the petitioner regarding the similarly situated accused person, I am not inclined to grant the privilege of bail to the petitioner at this stage and accordingly, the same is rejected. However, the petitioner may renew his prayer for bail after the examination of the injured witnesses during the course of trial. Such application may be filed by the petitioner before the learned Trial Court after completion of deposition of injured witnesses which will be considered in accordance with law.

7. Accordingly, the present bail application is disposed.

(Anil Kumar Sinha, J)

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