

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56510 of 2023

Arising Out of PS. Case No.-21 Year-1992 Thana- BAIRIYA District- West Champaran

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Hasmuddin Khan Son Of Late Md. Sani Khan Resident Of Village-Mistri
Tola, Ranaha, P.S.-Srinagar Pujaha, District-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raja Ram Mishra, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

2 30-08-2023 Heard the learned counsel for the petitioner and

learned counsel for the State.

Let the defect(s), if any, be removed within a
period of four weeks from today.

The petitioner seeks bail in connection with Bairiya
P.S. Case No. 21 of 1992 registered for the offence under
Sections 25(1-A) and 26 of the Arms Act.

As per the prosecution case, the petitioner was
initially accused in the case of Arms Act. While facing trial, an
application was filed that the petitioner has died, and therefore,
the trial against him was closed. Subsequently, in C.W.J.C. No.
11488 of 2022, the police officials were directed to locate the
petitioner as it has come to the notice of this Court that the
petitioner was staying outside the State, after faking his death.
Two brothers of the petitioner were also involved in the entire
exercise.

On the direction of this Court, the petitioner was



traced outside the State and has been arrested and another case has been registered against the petitioner and his two brothers. The petitioner is accused in a number of cases all registered in Srinagar in the State of Jammu and Kashmir.

This kind of criminal cannot and should not be released on bail.

In view of the aforesaid fact, this Court is not inclined to grant bail to the petitioner.

Accordingly, the prayer of bail of the petitioner is rejected herewith.

The trial Court is directed to conclude the trial of all the cases in one court pending against the petitioner at the earliest without granting any unnecessary adjournments.

Let a copy of this order be communicated to District Judge, Bettiah, West Champaran, for its forthwith compliance.

(Sandeep Kumar, J)

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