

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24993 of 2024

Arising Out of PS. Case No.-778 Year-2022 Thana- AGAMKUAN District- Patna

Md Tausif Alam Son Of Md. Irsad Alam Resident Of Village- Lohra, P.S.-
Jamui, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akash Kumar Mishra, Advocate
For the Opposite Party/s : Mr.Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 28-06-2024 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Agamkua P.S. Case No. 778 of 2022 dated 11.10.2022
registered for the offence(s) punishable under Section(s) 25(1-
b)a/26 and 35 of Arms Act.

3. The main submissions advanced by learned counsel
for the petitioner are that this is second attempt of the petitioner
to get the relief of regular bail as his earlier bail prayer was
rejected by this bench vide order dated 31.07.2023 passed in Cr.
Misc. No. 46845 of 2023 with giving him a liberty to renew his
bail prayer after six months, if the trial of the petitioner is not
concluded within said period and in the light of this liberty, the
petitioner has again come before this court mainly on the ground
of his long custody period as well as no significant progress in



his trial and the petitioner has been languishing in jail since 12.10.2022 having no criminal antecedent.

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

5. Heard both the sides and perused the FIR and other relevant materials. Petitioner has got no criminal antecedent and as per submission made by petitioner's counsel, the charge was framed upon the petitioner on 15.07.2023 and thereafter only three witnesses have been examined till date and the prosecution is very slow in producing the witnesses. Considering these facts and mainly taking into account the petitioner's custody period and lingering attitude of the prosecution in producing and examining the prosecution witnesses in the trial of the petitioner, this court is now inclined to accept the bail prayer of the petitioner. Accordingly, let the petitioner named-above be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Agamkua P.S. Case No. 778 of 2022.

(Shailendra Singh, J)

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