

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57418 of 2024

Arising Out of PS. Case No.-26 Year-2022 Thana- BALRAMPUR District- Katihar

Md. Riyaz @ Md. Riyaz Alam, S/o Md. Yunus, R/o Vill - Baghwa, P.S. -
Balial Belone, Distt.- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harish Chandra Patel, Adv.

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 23-08-2024 Heard Mr. Harish Chandra Patel, learned counsel for
the petitioner and Mr. Syed Mojibur Rahman, learned APP for
the State.

2. Petitioner seeks regular bail in connection with
Balrampur P.S. Case No. 26/2022 dated 14.02.2022 registered
for the offences punishable under Sections 25(1B)a, 26 and 35
of the Arms Act.

3. Learned counsel appearing for the petitioner
submits that the petitioner earlier preferred Cr. Misc. No.
46418/2022 for the relief of regular bail which was rejected by
this Court with a direction to the trial court to expedite the trial
of the petitioner and take steps to conclude the same in the next
six months from the date of that order. It is further submitted
that the petitioner has been given a liberty to renew his bail



prayer if his trial is not concluded within the stipulated period of six months and he has now come again before this Court for the same relief mainly in the light of the said liberty as despite the lapse of more than one year, only five prosecution witnesses have been examined and the alleged offences are triable by the court of First Class Magistrate and the petitioner has spent 2 years and 4 months in jail and he is not named in the FIR.

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

5. Heard both the sides. Though against this petitioner, there is serious allegation but considering his custody period and non-completion of his trial in the stipulated period and also, the fact that the offences alleged are triable by the court of First Class Magistrate, in my opinion, the petitioner now deserves to the privilege of bail. 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 Balrampur P.S. Case No. 26/2022.

(Shailendra Singh, J)

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