

ITEM NO.5

COURT NO.15

SECTION II-A

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

PETITION(S) FOR SPECIAL LEAVE TO APPEAL (CRL.) NO(S). 805/2025

[Arising out of impugned final judgment and order dated 07-08-2024 in CRLM No. 55615/2024 passed by the High Court of Judicature at Patna]

MD GULZAR

PETITIONER(S)

VERSUS

STATE OF BIHAR

RESPONDENT(S)

(IA No. 3913/2025 - EXEMPTION FROM FILING O.T.  
IA No. 41370/2025 - PERMISSION TO FILE ADDITIONAL  
DOCUMENTS/FACTS/ANNEXURES  
IA No. 3914/2025 - PERMISSION TO FILE ADDITIONAL  
DOCUMENTS/FACTS/ANNEXURES)

Date : 27-03-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE PANKAJ MITHAL  
HON'BLE MR. JUSTICE S.V.N. BHATTI

For Petitioner(s) :Mr. Sulaiman Mohd Khan, Adv.  
Ms. Taiba Khan, Adv.  
Mr. Bhanu Malhotra, Adv.  
Mr. Gopeshwar Singh Chandel, Adv.  
Mr. Abdul Bari Khan, Adv.  
Mr. Chandra Bose, Adv.  
Dr. Hilaluddin, Adv.  
Mr. Aftab Alam, Adv.  
Mr. Ashish Choudhury, AOR

For Respondent(s) :Mr. Manish Kumar, AOR  
Mr. Kumar Saurav, Adv.

UPON hearing the counsel the court made the following  
O R D E R

1. The High Court by the impugned order dated 07.08.2024 has declined to enlarge the petitioner on bail but has granted him

liberty to renew the prayer for bail after one year of the framing of the charges.

2. The petitioner is aggrieved by the condition so imposed fixing the moratorium of one year for moving the fresh bail application after the framing of the charges.

3. We are of the considered opinion that the High Court while granting the liberty to renew the prayer for bail could not have imposed such a condition and ought to have permitted the filing of the fresh bail application after the charges are framed.

4. In the case at hand, now charges have been framed and therefore, the petitioner is set at liberty to renew his prayer for bail before the High Court, notwithstanding the moratorium of one year imposed under the impugned order.

5. The impugned order stands modified to the above extent.

6. The Special Leave Petition is disposed of accordingly.

Pending application(s), if any, shall stand disposed of.

(Nidhi Mathur)  
Court Master (NSH)

(Geeta Ahuja)  
Assistant Registrar-cum-PS