

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53777 of 2015

Arising Out of PS.Case No. -562 Year- 2015 Thana -BETTIAH TOWN District-
WESTCHAMPARAN(BETTIAH)

=====

Shahid Ali Son of Gaffar Mian @ Abdul Gaffar, Resident of Mohalla -
Najani Chowk, Bettiah, P.S. - Bettiah Town, District - West Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Lalan Kumar (App)

=====

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

5 27-01-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Bettiah
Town P.S. Case No. 562 of 2015 registered for the offences
punishable under Sections 25(1-b)a /26/35 Arms Act.

Allegedly, acting on a tip off, the informant and other
police personnel went at Jodha Shivalaya then saw that two
motorcycle borne criminals taking U turn started fleeing away but
the petitioner sitting on the backside was caught and from his
possession a country made loaded katta was recovered.

Submission is of false implication and that nothing
was recovered from his conscious possession, he has been made

victim of the circumstances, alleged search and seizure are in utter violation of Section 100 Cr.P.C., the petitioner is in custody since 28.08.2015 and as such he deserves sympathetic consideration.

Learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, considering the alleged recovery and detention the **petitioner shall be released on bail after completion of six months in custody from the date of his remand** on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Learned C.J.M., Bettiah in connection with Bettiah P.S. Case No. 562 of 2015, subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

siddharth/-

U		T	
---	--	---	--