

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21702 of 2016

Arising Out of PS.Case No. -572 Year- 2015 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

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Vikash Mishra @ Vishal Mishra son of Tuntun Mishra, resident of village-
Naya Tola, Madhumalat (Amawa) P.S.- Turkauliya, District- East
Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH**

ORAL ORDER

2 19-05-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in connection with Tirkauliya
P.S. Case No. 572 of 2015 registered under Sections 414 read with
34 of the Indian Penal Code and Sections 25(1-B)(a), 25(1-A),
26(2) and 35 of the Arms Act.

It is submitted by the learned counsel for the petitioner
that there is no material on record to corroborate the fact that the
alleged motorcycle, which is said to have been recovered from
possession of the petitioner, was stolen one. It is further submitted
that the petitioner has become a victim of high handedness of the
police and in arbitrary manner he has been implicated in the

present case.

Learned counsel for the State has opposed the prayer for grant of bail to the petitioner. He has submitted that the petitioner was apprehended with the motorcycle in question. He could not give satisfactory explanation about the ownership of the motorcycle. It is further submitted that one country made pistol and two live cartridges were also recovered from possession of the petitioner.

Be that as it may, regard being had to the facts and circumstances of the case, the petitioner, namely, Vikash Mishra @ Vishal Mishra, who is custody since 30th July, 2015, is directed to 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 learned 5th Additional Chief Judicial Magistrate, East Champaran at Motihari in connection with Turkauliya P.S. Case No.572 of 2015.

(Ashwani Kumar Singh, J)

Md.S./-

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