

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21084 of 2016

Arising Out of PS.Case No. -198 Year- 2016 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Samshad Alam Son of Rahmat Ali, Resident of village- Raghunathpur,
P.S. Turkauliya, District- East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s Mr. Shailendra Kumar No.2 (App)

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

03/ 20.06.2016 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Petitioner is in jail custody since 10.3.2016 in a case
registered under section 414 of the Indian Penal Code and sections 25
(I-b)a, 26 of the Arms Act.

It is alleged that one country made pistol and two live
cartridges were recovered from the conscious possession of the
petitioner while he along with other FIR named accused were going
on motorcycle.

Submission on behalf of the petitioner is that seized
motorcycle belongs to friend of the petitioner and so far as recovery of
firearm and cartridges is concerned, the same is nothing but only high
handedness of the police and moreover, petitioner has sufficiently
been punished by remaining in jail custody.

No doubt, petitioner carries criminal antecedent of two

cases but submission on behalf of the petitioner is that the petitioner was remanded in two cases after his arrest in the present case.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, East Champaran at Motihari in Motihari Town P.S. Case no. 198/2016.

(Hemant Kumar Srivastava,J)



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