

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37860 of 2016

Arising Out of PS.Case No. -119 Year- 2016 Thana -KOTWALI District- MUNGER

=====

1. Md. Sahwaz @ Chhotu @ Chiluha Son of Late Md. Munna Resident of
village / Mohalla - Dilawarpur, P.S. Kotwali, District Munger
..... Petitioner

Versus

1. The State of Bihar Opposite Party

=====

Appearance :

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

For the Opposite Party/s : Mr. Smt. Reena Sinha

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 20-09-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Kotwali P.S.
Case No. 119 of 2016 registered for the offence punishable under
Section 414 of the Indian Penal Code.

Allegedly, one motorcycle was found at Subhash Chauk
and the petitioner was apprehended from there and he did not
produce any paper for that motorcycle. During investigation it
transpires that the said motorcycle is stolen property of Sultanganj
P.S. Case No. 07 of 2016.

Submission is of false implication and that from perusal of
seizure list it reveals that motorcycle was recovered from
Subhash Chauk and not from the conscious possession of the
petitioner but he has been made victim of circumstances. He has

got no concern with the said motorcycle. There is no independent witness of seizure list and the petitioner is suffering in custody since 26.04.2016 to which the learned APP opposes by submitting that the petitioner has got criminal antecedent and the said motorcycle belongs to one Rajni Kant Gupta and it is a stolen motorcycle.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence, the petitioner above named is directed to be released on bail 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 Chief Judicial Magistrate, Munger in connection with Kotwali P.S. Case No. 119 of 2016, subject to the conditions that one of the bailors must be a 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)

avin/-

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