

Arising from the above, the Commission has concluded that the proposed transaction is not in the public interest and has therefore refused to approve the proposed transaction.

The State of Gujarat has not objected to the proposed transaction.

Appeared for the Respondent:

Guddu Chaudhary Son of Baiju Chaudhary Resident of Mohalla- Karori Bazar, Police Station- Habibpur, District Bhagalpur.

Versus

.... Opposite Party/s

For the Petitioner/s : Mr. Md. Najmul Hodda, Advocate
For the Opposite Party/s : Mr. Indra Kumar Singh, APP

2 24-08-2016

Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner apprehends arrest in connection with Akbarnagar P.S. Case No. 61/16 for offences alleged under Sections 379, 411 of the Indian Penal Code.

The allegation is that after parking his motorcycle in the station premises informant went to the railway station but when he returned he found his motorcycle missing and on information police arrested one Md. Abbas @ Md. Baso.

It has been submitted by the learned counsel for the petitioner that he is not named in the First Information Report and the apprehended co-accused Md.

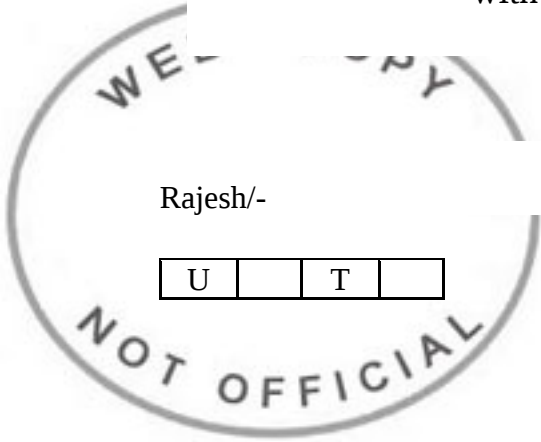
Abbas @ Md. Baso has named the petitioner. He submits that there was allegation of theft of one motorcycle for which other co-accused has been apprehended and nothing has been found from the possession of the petitioner nor petitioner has committed any overt act relating to the present case.

However, learned APP for the State submits that the petitioner has been named by the co-accused, hence, opposes the prayer of bail.

Be that as it may, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of eight weeks from today, 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 Addl. Chief Judicial Magistrate-I, Bhagalpur, in connection with Akbarnagar P.S. Case No. 61/16, subject to the conditions as laid down under Section 438(2) Cr.P.C.

However, since the apprehended co-accused Md. Abbas @ Md. Baso has stated that he along with petitioner has been involved in similar offence earlier also and that the petitioner does not have a clean antecedent, if in future, the petitioner is found to have indulged in an offence of similar nature, the learned court below will be at liberty to

cancel the bail bonds of the petitioner without being prejudiced
with this order.



(Nilu Agrawal, J.)