

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5885 of 2016

Arising Out of PS.Case No. -79 Year- 2015 Thana -BELCHAR District-
WESTCHAMPARAN(BETTIAH)

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1. Guddu Ansari, Son of Shubhan Ansari, resident of Village- Puraina, P.S.-
Chanpatiya, District- West Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Roy-I, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

2 18-02-2016 Heard the learned counsel for the petitioner as well as the
learned A.P.P. for the State.

The petitioner seeks bail in a case for the offence
punishable under Section 414 of the I.P.C.

Allegedly, the petitioner was caught when he was trying to
flee away with motorcycle and from his possession one country
made pistol was recovered and he stated the name of others and
further mobiles and cash were also recovered.

Submission is of false implication and that the petitioner
has been made victim of the circumstances, the motorcycle
belongs to one Kanhaiya Kumar Soni, at the time of occurrence
the petitioner was passing away and police party started chasing
and the petitioner also tried to flee away and then he was caught

but the person who was driving the motorcycle fled away, during investigation the Sergeant Major has inspected the seized arms and has found the same ineffective and as such the petitioner deserves sympathetic consideration, to which the learned A.P.P. opposes.

In the facts and circumstances stated above, considering that the recovered fire arm was found ineffective and there is no report regarding theft of the said motorcycle, 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 Sri Jitesh Kumar, Judicial Magistrate, 1st class, Bettiah, West Champaran in connection with Balthar P.S. Case No.79 of 2015, 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)

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