

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.17709 of 2016

Arising out of PS.Case No. -535 Year- 2015 Thana -BIDUPUR District- VAISHALI(HAJIPUR)

Anil Sharma, S/o Shri Raj Ballabh Sharma, resident of Village- Newanagar,
P.S.- Bidupur, District- Vaishali.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr.

For the Opposite Party : Mr. Shailendra Kumar No.1(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 24-05-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 28.12.2015
in connection with Bidupur P.S. Case No. 535 of 2015 for the
offences instituted under Sections 414 of the IPC and 25(1-B)
A/26 of the Arms Act.

The prosecution story, in brief, is that the informant
started checking of the vehicles on Hajipur-Mahnar Road
alongwith five police personnel in a Jeep. In course of checking, a
motorcycle was stopped at 4.00 P.M. It is further alleged that the
accused person was restrained and demanded the papers of the
said motorcycle but the driver could not produce any document
and disclosed his name as the petitioner. In course of search, a

live cartridge of 0.315 bore was recovered from the left pocket of the petitioner.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The petitioner is in custody since 28.12.2015 and the charge sheet has been submitted in the present case. As per prosecution case, one stolen motorcycle alongwith one live cartridge are said to have been recovered from possession of the petitioner. The petitioner has denied the recovery of the said articles. No compliance of Section 100 Cr. P.C. has been carried out.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, 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 the learned C.J.M., Vaishali at Hajipur in connection with Bidupur P.S. Case No. 535 of 2015.

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(Sudhir Singh, J)