

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6948 of 2017

Arising Out of PS.Case No. -621 Year- 2016 Thana -MUZAFFARPUR TOWN District-
MUZAFFARPUR

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1. MD. SHAMSHAD @ SAMSAD @ RAJA S/o Aash Mohammad @
Allauddin, Resident of Village-Madhopur, P.S.-Maniyari, Distt.-
Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 20-02-2017 Heard the parties.

This application has been filed in connection with Town
P.S.Case No.621 of 2016 for the offence under Sections 414 of the
Indian Penal Code and Section 25(1-b)a/26(ii)/35 of the Arms Act.

It is submitted on behalf of the petitioner that there are
recovery of one Motorcycle and one country-made Pistol but as a
matter of fact there is no case of theft of the Motorcycle against
the petitioner and the petitioner is in custody for more than five
months and since he did not show any document in support of the
Motorcycle, later on Section 414 of the IPC was added, however,
it has been submitted that the petitioner has no criminal
antecedent.



Heard learned A.P.P. also.

Having heard both sides. Considering the fact that the petitioner has clean antecedent and he has remained in custody for more than five months, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Muzaffarpur in connection with Town P.S.Case No.621 of 2016.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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