

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57749 of 2017

Arising Out of PS.Case No. -613 Year- 2017 Thana -HAJIPUR District- VAISHALI(HAJIPUR)
=====

Mohammad Irshad, S/o Md. Jamil, R/o Bawali Mohalla, P.S.- Hajipur
Nagar, District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anish Chandra

For the Opposite Party/s : Mr. Sri Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 18-12-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Hajipur Nagar P.S. Case No. 613 of 2017, registered under
Section 414/34 of the Indian Penal Code.

The accusation is that on receiving information about
keeping the stolen motorcycle by Md. Jamil in his house at village
Bawali, the informant along with other police officials reached
there and raided the house in presence of independent witnesses.
In course of raid, one Splenderpro motorcycle was recovered and
at that time none was present in the house. On query, villagers
disclosed that petitioner theft the motorcycle and his father and
wife protect him.



Learned counsel for the petitioner submits that it would appear from the F.I.R. that petitioner was not apprehended at the spot and the information about keeping the stolen motorcycle by Md. Jamil, father of the petitioner not by the petitioner. Further submission is that petitioner has no criminal antecedent except Hajipur Nagar P.S. Case No. 738 of 2016, registered under Sections 448, 341, 323, 379, 504 and 506/34 of the Indian Penal Code, in which, he is on bail.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Hajipur Nagar P.S. Case No. 613 of 2017, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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