

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52983 of 2018

Arising Out of PS.Case No. -239 Year- 2018 Thana -BAKHTIARPUR District- SAHARSA

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1. Md. Kayyam @ Kanu, Son of Kannu @ Salauddin, Resident of Village-
Lagama, P.S.- Bakhtiarpur, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Obaidur Rahman, Advocate

For the Opposite Party/s : Mr. Nirmal Kaur Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

2 07-09-2018 Heard learned counsel for the petitioner as well as

learned APP.

Informant, an ASI recorded his self statement disclosing therein that during course of patrolling he received confidential information regarding presence of stolen motorcycle at the place of petitioner whereupon raid was conducted. Petitioner was apprehended and further, motorcycle was seized and for that, seizure list was prepared.

It has been submitted on behalf of petitioner that one of the seizure list witnesses, namely, Digambar Yadav had instituted Bakhtiyarpur PS Case No. 210/2018 showing the date of occurrence to be 30.05.2018 wherein petitioner has been bailed out and after coming to know about the same, the aforesaid Digambar Yadav has got influence over the police officials, got



the petitioner involved in the aforesaid case whereunder petitioner happens to be under custody since 10.06.2018 having no criminal antecedents save and except above referred case.

Learned APP opposed the prayer for bail on the pretext of recovery of stolen motorcycle.

Regard being had to the facts and circumstances, petitioner, Md. Kayyam @ Kanu is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Saharsa in Bakhtiarpur PS Case No. 239/2018.

(Aditya Kumar Trivedi, J)

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