

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44225 of 2018

Arising Out of PS. Case No.-238 Year-2018 Thana- BEGUSARAI TOWN District- Begusarai

Md. Chand son of Md. Abdul Qaiyum, resident of Village- Harrak, Ward No. 13, P.S. Town, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Mr. Smt. Anusuiya Jaiswal

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 30-07-2018 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks bail in **Town P.S. Case No.238 of 2018** registered for the offence punishable under Section 414 of the Indian Penal Code and Section 25(1-b),a,26,35 of the Arms Act.

Informant is the Sub Inspector of Police who has recorded his self statement on 27.04.2018, in which he has alleged that he along with other police personnel were checking the vehicles, when he saw three persons seated on a motorcycle coming towards them and after seeing the police party tried to flee away but were apprehended after chase. However, valid document of said motorcycle was not produced by them and had confessed the motorcycle to be stolen. It further transpired that



the motorcycle was sold by Dilkush Tanti to Md. Chand (petitioner) for Rs. 10,000.

It has further been submitted that one country made pistol with one live cartridge alongwith five cartridges were recovered from the possession of Dilkhush Tanti and nothing has been recovered from the possession of the petitioner. It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent and nothing incriminating has been recovered from the possession of the petitioner and only allegation against him is that he was sitting on the stolen motorcycle and from possession of others arms and cartridges were recovered. Petitioner is in custody since 28.04.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate, Begusarai**, in connection with **Town P.S. Case No.238 of 2018.**

(S. Kumar, J)

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