

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28160 of 2020

Arising Out of PS. Case No.-111 Year-2020 Thana- SITAMARHI District- Sitamarhi

BIKASH KUMAR Son of Ram Babu Tiwary @ Ram Babu Kuvar Resident
of Village- Narauli, P.S.- Musahari, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha

For the Opposite Party/s : Mr.Zainul Abadin

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 02-11-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the
offence under Sections 414/34 of I.P.C. and 25(1-b)(a), 26, 35 of
the Arms Act.

Prosecution case, in short, is that one motorcycle
along with one loaded country made pistol and two live



cartridges are recovered.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 14.02.2020 and has got no criminal antecedent. Charge sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. One allegedly stolen motorcycle along with one country made pistol and two live cartridges are said to have been recovered. The petitioner had no knowledge that the motorcycle in question is stolen property. There is no compliance of Section 100 of Cr.P.C.

On behalf of the State, it is 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 bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Sitamarhi in connection with Sitamarhi P.S. case No.111 of 2020.

(Sudhir Singh, J)

Narendra/-

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