

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29110 of 2020

Arising Out of PS. Case No.-73 Year-2020 Thana- SITAMARHI District- Sitamarhi

SALAMUDDIN QURAISHI @ MD. SALAMUDDIN QURAISHI Son of
Md. Sami Quraishi @ Md. Shamim Kurasi Resident of Village - Hussaina
Ward No. 12, P.S. and District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Adv.

For the Opposite Party/s : Ms. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 12-11-2020 As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

Learned counsel are appearing and making submissions from their residence. The Court master and Secretary are also part of this virtual Court proceedings with the aid of audio visual technology.

Ms. Pushpa Sinha, learned APP, is appearing as it is submitted that the brief has been allotted to her by the office of Advocate General. Her name may also be printed in the cause list.

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



Learned counsel for the petitioner is expected to honor his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon.

The petitioner seeks bail in Sitamarhi P.S. Case no. 73 of 2020 instituted for the offence under Section 414 of the Indian Penal code and Sections 25(1-b)a, 26(ii) and 35 of the Arms Act.

The petitioner is alleged to have been apprehended with the stolen motorcycle and one loaded country made pistol.

Referring to Annexure-2 of the bail application, petitioner's counsel submits that no offence will be made out under Section 414 IPC as the motorcycle is registered in the name of the petitioner's brother. He denies and disputes the recovery of country made pistol. It is submitted that he is in custody since 28.01.2020 and that he bears a clean past.

The learned APP has opposed the prayer for bail.

Considering the aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the C.J.M. Sitamarhi, in connection with Sitamarhi P.S. Case No. 73 of 2020 subject to the



following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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