

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25649 of 2021

Arising Out of PS. Case No.-383 Year-2020 Thana- MOTIHARI TOWN District- East
Champaran

=====

Tariq Anwar @ Chittu @ Chintu, Son of Motiur Rahman Resident of Village -
Agrawa Gali No.4, P.S.- Town, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv.

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 01-12-2021 Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner who is in custody since 07.07.2020 seeks
regular bail in connection with Town P.S. Case No.383 of 2020
registered for offence punishable under Sections 399, 402 of the
Indian Penal Code and Sections 25(1-B) a, 26, 35 of Arms Act.

Prosecution case in brief, is that police team had gone
to Zila School Stadium Campus, Motihari after getting
information that some miscreants has assembled there to do
some illegal act. Upon search one country-made pistol, namely,
fighter (Badhnoya) recovered from the possession of the
petitioner along with a redmi mobile phone having Sim



No.7667684968.

Learned counsel appearing on behalf of the petitioner submits that one co-accused, namely, Bikki Kumar @ Babua from whose possession also firearm was recovered has already been enlarged on bail vide order dated 26.10.2021 passed in Cr. Misc. No.18236 of 2021. Learned counsel appearing on behalf of the petitioner further submits the recovery is denied and disputed. It has further been submitted that there are two cases against the petitioner but, he is on bail in all those cases and he has been made specific statement in paragraph-3 of the application in this regard.

Learned APP has opposed the prayer for bail.

Having considered the rival submissions and from perusal of the seizure list as well as the period of custody of the petitioner and also taking into consideration the fact that co-accused has already been released on bail. The court below is directed to verify the antecedent of the petitioner as to whether any other case is pending against him as what has been referred and upon being satisfied, the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/-(Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East



Champaran at Motihari in connection with Town P.S. Case
No.383 of 2020, subject to the following conditions:-

(1) Bailors should be local having sufficient
immovable property within the jurisdiction of the court
concerned.

(2) Petitioner shall co-operate in the trial and shall be
properly represented on each and every date fixed by the court.

(3) If the petitioner tampers with the evidence or the
witnesses of the case, in that case, prosecution will be at liberty
to move for cancellation of bail of the petitioner.

(Purnendu Singh, J)

Prakash Narayan /-

U		T	
---	--	---	--

