

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33058 of 2020

Arising Out of PS. Case No.-115 Year-2020 Thana- BIRAUL District- Darbhanga

MD. SALAM S/o Muslim Resident of Village- Haripur, P.S.- Singhia,
District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vasudeo Ram

For the Opposite Party/s : A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 25-01-2021 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Biraul
P.S. Case No. 115 of 2020, registered under Sections 414, 465,
468, 420 and 120(B)/34 of the Indian Penal Code.

The accusation is that on 28.04.2020, the
informant being the A.S.I of Biraul Police Station received
information to the effect that Mahal Chowkidar with the help
of other villagers have caught hold two persons with stolen
motorcycle near Pokhram, then informant along with other
Police personnel reached there and saw that near the house of
Chalitra, Chowkidar Md. Jalil and villagers have caught hold
two persons with Splendor motorcycle. Both persons disclosed
their names Shivam Kamti and Indrajeet Rai @ Muso, on



query, they failed to show papers regarding ownership of the motorcycle. The villagers of Bairampur identified that the said splendor motorcycle is theft motorcycle of Abhisekh Mishra of village-Deokuli Dham. On query, Shivam Kamti disclosed that the motorcycle was stolen by him with the help of Indrajeet Rai and both were going to village-Haripur to sell the same to Md. Salam (Petitioner). Thereafter, on the disclosure made by Shivam Kamti, one Md. Islam was also caught hold from the roof of garage situated in the house of Rajendra Singh in village-Kamalpur, on query, he disclosed that Shivam Kamti had committed theft of motorcycle at four places and the stolen motorcycles were sold to petitioner and one motorcycle was sold to Kanhaiya of village-Kamalpur. Thereafter, Police apprehended Kanhaiya and one motorcycle was recovered from his house. Thereafter, Police went at village-Haripur and searched the house of petitioner and, on search, one person was apprehended, who disclosed his name Md. Salam (Petitioner) and three motorcycles were seized, which were concealed covering with the sacks.

Learned counsel appearing for the petitioner submits that, in fact, the petitioner is running a garage of repairing the motorcycles in the village from where three



motorcycles, which were brought by some persons for the purpose of repairing the same. Further submission is that petitioner has no criminal antecedent and he is in custody since 30.04.2020.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. Biraul, Darbhanga in connection with Biraul P.S. Case No. 115 of 2020. One surety must be close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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