

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38795 of 2020

Arising Out of PS. Case No.-166 Year-2020 Thana- HUSSAINGANJ District- Siwan

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Mohammad Khalid @ Mohamad Khalid, son of Kayamuddin @ Kayamuddin
Ansari, resident of Village - Bagaura, Police Station - Daraunda, District -
Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. A.G.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 09-02-2021 Heard learned counsel for the petitioner and

learned counsel appearing on behalf of the State.

The petitioner is in custody in connection with
Hussainganj P.S. Case No. 166 of 2020 registered for
the offences under Sections 313, 314 of the Indian
Penal Code and Sections 25(1-B) a, 26, 35 of the Arms
Act.

The prosecution case in brief is that on secret
information that miscreants are planning to sell a stolen
motorcycle, search was made and petitioner and one
Shashi Prakash Shahi were found riding on a motorcycle.
On enquiry, the aforesaid motorcycle was found to be
stolen one. During search, from the possession of co-



accused Shashi Prakash Shahi, one country made pistol and one live cartridge were recovered.

Learned counsel appearing on behalf of the petitioner would submit that petitioner has no criminal antecedent. The arms were not recovered from the possession of the petitioner.

The petitioner is in custody since 24.06.2020.

Considering the fact that petitioner is not having any criminal antecedent and the period of custody, this Court is inclined to grant bail to the petitioner. Let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 25,000/- (Rupees twenty five thousands) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, XIII, Siwan in connection with Hussainganj P.S. Case No. 166 of 2020.

(Anil Kumar Upadhyay, J)

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