

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48822 of 2021**

Arising Out of PS. Case No.-50 Year-2021 Thana- SAHARSA SADAR District- Saharsa

BECHAN RAM S/o Late Domi Ram R/o Mohalla- D.B. Road, Ward No. 21,
P.S.- Saharsa (Sadar), District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate

For the Opposite Party/s : Mr. Satyadeo Singh Yadav, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 25-01-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks regular bail in connection with
Saharsa Sadar P.S. Case No. 50 of 2021 instituted for the
offences under Section 414 of the Indian Penal Code read with
Sections 25(1-b)a, 26 and 35 of the Arms Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 15.01.2021, is a person with clean
antecedent and charge-sheet has been submitted in this case.

The informant alleges that he saw two persons on a
motorcycle who after seeing the police tried to flee but were
apprehended and disclosed their name as Shankar Sah and
petitioner. Further from Shankar Sah one loaded country made



pistol and live cartridge was recovered and the accused were not able to produce any document relating to the motorcycle.

Learned counsel for the petitioner submits that from perusal of the allegation as alleged, it would manifest that nothing was recovered from the possession of the petitioner. Further the petitioner was not aware that the motorcycle on which he was sitting was stolen one.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody, is a person with clean antecedent, charge-sheet has been submitted and nothing was recovered from possession of the petitioner, let the petitioner above named 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 Chief Judicial Magistrate, Saharsa in connection with Saharsa Sadar P.S. Case No. 50 of 2021, subject to the condition that one of the bailors shall be the mother (Duriya Devi) of the petitioner.

(Satyavrat Verma, J)

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