

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 47347 of 2014

Arising Out of PS.Case No. -451 Year- 2013 Thana -MOTIHARI TOWN District- EAST
CHAMPARAN (MOTIHARI)

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Sabir Miyan @ Sabir Hussain @ Sabir Kalam, Son of Ainul Haque Ansari,
Resident of village Siswa Asgari, Police Station Banjariya, District - East
Champaran.

.... Petitioner

Versus

The State of Bihar.

... Opposite Party

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Appearance :

For the Petitioner : Mr.

For the Opposite Party : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL ORDER

2. 04-03-2015 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in Motihari Town P.S.
Case No. 451 of 2013 dated 29.09.2013 instituted under
Sections 413/414/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that
only on the confessional statement of Gauri Shankar Yadav, who
was caught along with a stolen motorcycle, the petitioner has
been implicated that he along with others indulge in the business
of stolen motorcycles. Learned counsel submits that Gauri
Shankar Yadav, who was caught with the stolen motorcycle has
been granted bail by the Court below and similarly situated co-
accused Jhunnu Pandey at whose house the stolen motorcycles
were kept has also been granted bail by the Court below.
Learned counsel submits that prior to the present

confessional statement of Gauri Shankar Yadav, there was no case against the petitioner and consequent upon the said statement, he has been made accused in many other cases of similar nature by the police. It is submitted that the petitioner is in custody since 22.02.2014.

Learned A.P.P. opposes the prayer for bail.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran at Motihari in Motihari Town P.S. Case No. 451 of 2013. The petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner. The petitioner shall also give an undertaking to the Court that he shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the trial and be present before the Court on each and every date. Failure to cooperate or appear on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

(Ahsanuddin Amanullah, J.)

Anand Kr.

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