

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37019 of 2016

Arising Out of PS.Case No. -118 Year- 2016 Thana -PALASI District- ARRARIA

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1. MAMUL @ MD. MAMUL @ MD. MAMNOON @ MAMNOON
AHMAD Son of late Tanbir @ Balu, Resident of Village- Dehti South,
P.S.- Palasi, Dist- Araria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh

For the Opposite Party/s : Mr. Smt. Asha Kumari

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 05-09-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered under Section-
414 of the Indian Penal Code.

Petitioner is in jail custody since 15-06-2016 on the
accusation that one stolen motorcycle was recovered from his
conscious possession.

Submission on behalf of petitioner is that no recovery
has been made from conscious possession of the petitioner, which
is evident from perusal of seizure list itself and as a matter of fact,
the petitioner was caught by village chowkidar on mere suspicion
and the said village chowkidar implicated the petitioner in the
present case. It is further submitted that there is nothing in the

impugned order to show that seized motorcycle was a stolen property.

No doubt, earlier petitioner was made accused in two cases but in the present case, he is languishing in jail custody since 15-06-2016 and the impugned order does not say as to whether the seized motorcycle is stolen property or not.

Considering the above-said facts and circumstances of the case as well as submission of the parties, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Palasi P.S. Case No. 118 of 2016 to the satisfaction of Sri Raghbansh Narayan, A.C.J.M.-III, Araria.

(Hemant Kumar Srivastava, J)

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