

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.3753 of 2017**

Arising Out of PS.Case No. -653 Year- 2016 Thana -ARARIA District- ARRARIA

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Shahzad @ Md. Sahzad, son of Md. Mahmood Ansari, resident of village-  
Bairgachhi, Momin Tola, P.S.- Araria (Bairgachhi), District-Araria.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Md. Naushad Uzzoha

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

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

3      28-02-2017                      Learned counsel for the petitioner seeks permission  
to make necessary correction in para 3 of the bail petition.

Permission is allowed. He is permitted to make  
correction in course of the day.

Heard learned counsel for the petitioner and State

The petitioner seeks bail in Araria P.S. Case No. 653  
of 2016 instituted for the offence under section 379 of the Indian  
Penal Code.

It is alleged that motorcycle of the informant was  
stolen from Araria Civil Court. He raised suspicion against Bablu  
Biswas and Shekhar Kumar Bhagat in stealing his motorcycle.

The petitioner is not named in the written report.  
The Sessions Judge has mentioned that petitioner confessed his  
guilt before the police and on the basis of his statement, stolen



motorcycle was recovered.

Learned A.P.P. after looking into the case diary has submitted that motorcycle has been recovered from the possession of Md. Salim on the disclosure of this petitioner. It is submitted that for the aforesaid recovery of the motorcycle, a separate case bearing Araria P.S. Case No. 656 of 2016 is pending.

In such circumstances, there is no recovery of any motorcycle from the possession of this petitioner.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10, 000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Araria P.S. Case No. 653 of 2016, subject to the condition that both the bailors will be the close relatives of the petitioner.

**(Sanjay Priya, J)**

Ravi/-

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