

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.55744 of 2016

Arising Out of PS.Case No. -433 Year- 2016 Thana -KHAZANIHAT District- PURNIA

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Md. Asgar Alam, Son of Md. Jalil, resident of Village- Birpur Lokha, P.S.-
Mufassil, District- Purnea. Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh

For the Opposite Party/s : Mr. Sri Uday Pratap Singh

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 11-01-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with K. Hat
(Sahayak) P.S. Case No. 433 of 2016 registered for the offences
punishable under Sections 413 and 414 of the Indian Penal Code.

Allegedly, the petitioner and co-accused started fleeing
away after leaving the motorcycle but were apprehended after
chase by the police party and they did not produce document of
the motorcycle and stated that the said motorcycle was stolen one.
On search two keys of motorcycle were recovered from pocket of
co-accused Ashique Ali.

Submission is of false implication and that the petitioner
has been made victim of circumstances, the petitioner was riding
on the motorcycle without knowing the fact that the said
motorcycle was stolen one, in good faith the petitioner took lift



from co-accused who is resident of village Purana Dhalwa of Katihar, nothing has been recovered from conscious possession of the petitioner and as such no offence as alleged is made out against the petitioner.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, the petitioner above named **shall be released after completion of six months in custody from the date of his remand in this case** on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea in connection with K. Hat (Sahayak) P.S. Case No. 433 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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