

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.10752 of 2017**

Arising Out of PS.Case No. -274 Year- 2016 Thana -SAHEBGANJ District- MUZAFFARPUR

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Arjun Kumar, Son of Lallan Paswan, Resident of Village- Rajwada Chowk,  
P.S.- Sahebganj, District- Muzaffarpur, Bihar. .... Petitioner/s

Versus

The State of Bihar. .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Yashraj Bardhan, Advocate

For the Opposite Party/s : Mr. Sri Amrendra Prasad, APP

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**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

2      28-03-2017                      Heard learned counsel for the petitioner and  
  
learned Additional Public Prosecutor, for the State.

The petitioner is languishing in judicial custody since 14.12.2016 in connection with Sahebganj P.S. Case No. 274 of 2016 for offence alleged under Sections 379/411 of the Indian Penal Code.

The prosecution case is that on secret information the police went to the Rajwada Chowk and found the petitioner with one Motorcycle, which is alleged to have been stolen one. Similarly, the police went to a place near Gandak Project and found another person, Md. Maaj Ansari with a Motorcycle, which is alleged to be a stolen one. Accordingly, a seizure list was prepared.

It has been submitted by learned counsel for the petitioner that the petitioner is innocent, has been falsely implicated in the aforesaid case and there is no criminal history



against him. It is further submitted that on similar allegations one of the co-accused, Md. Maz Ansari @ Bara Babu has since been granted the privilege of bail by a co-ordinate Bench of this Court in Cr. Misc. No. 1826 of 2017 on 13.02.2017.

However, learned A.P.P., for the State, opposes the prayer for bail stating that the petitioner was caught with the stolen Motorcycle.

Be that as it may, considering the facts and circumstances and the materials on record, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, (west), Muzaffarpur in connection with Sahebganj P.S. Case No. 274 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.

**(Nilu Agrawal, J)**

S.Pandey/-

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