

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52720 of 2017

Arising Out of PS.Case No. -220 Year- 2017 Thana -MEERGANJ District- GOPALGANJ

Imaran Ali Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner : Mr. Mukesh Kumar Singh, Advocate

For the Opposite Party : Mr. Dilip Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 09-11-2017 Counsel for the petitioner and the State are present.

The petitioner seeks bail in a case registered for the offence under sections 414/34 of the IPC.

Police arrested the petitioner and one another person with two stolen motorcycles.

Counsel for the petitioner submits that the petitioner is a bona fide purchaser of Apachi motorcycles in question from co-accused Sah Alam on payment of Rs.30,000/- and at the relevant time he had gone to the Jeep stand to take the motorcycle from that co-accused. As such, the recovery cannot be said to be from his possession. He has no antecedent and is in custody since 26.8.2017.

In the facts of the case, the bail application is allowed. Let the petitioner as mentioned above be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gopalganj in Mirganj Police Station Case No. 220 of 2017 on the following conditions:-

(a) One of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how



he is related with him. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(b) The affidavit shall clearly state that the petitioner is not an accused in any other case, and if he is, he shall not be released on bail.

(c) The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter, the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse.

(d) The petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse.

(e) The petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

Shashi.

U		T	
---	--	---	--

