IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33034 of 2018

Arising Out of PS. Case No.-216 Year-2018 Thana- KHAGARIA District- Khagaria

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Md. Azam, S/o Md. Mustakim, Resident of Village- Bachhauta, P.S. Morkahi, District-Khagaria

... ... Petitioner/s

Versus

The State Of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Binod Kumar, Advocate
For the Opposite Party/s : Mr. Sri Uma Shankar Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

2 04-06-2018 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

The petitioner is in custody in connection with Khagaria (Chitragupta Nagar) P.S. Case No. 216 of 2018 for offence under Section 414 of the Indian Penal Code.

Learned counsel for the petitioner submits with reference to para-3 that the petitioner has no criminal antecedent. He was apprehended while the motorcycle on which he was also sitting with co-accused Rakesh Kumar was apprehended by the police and Rakesh Kumar fled away. Counsel further submits that the petitioner is not involved in sale or purchase of stolen motorcycle. He is quite innocent and suffers from mental disorder. Counsel submits that the petitioner is not claiming ownership of the vehicle and he has remained in

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custody for nearly two months.

Considering the fact that the petitioner does not claim that he is owner of the vehicle and there is no specific case of theft of the bike which was recovered by the police. Since the petitioner disowns that he is the owner of the vehicle and considering the fact that the petitioner has no criminal antecedent, 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 the CJM, Khagaria in connection with Khagaria (Chitragupta Nagar) P.S. Case No. 216 of 2018.

(Anil Kumar Upadhyay, J)

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