

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67224 of 2018

Arising Out of PS. Case No.-161 Year-2018 Thana- MAHARAJGANJ District- Siwan

Hamid Sain aged about 35 years Son of Sagir Sain Resident of Village-
Takkipur,P.S.Daraunda,Distt.-Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mithilesh Kumar

For the Opposite Party/s : Mr. Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 26-11-2018 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with
Maharajganj P.S. Case No. 161 of 2018 instituted for the offence
under Section 379 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that
there is no recovery of any motorcycle from possession of this
petitioner.

In the written report, it is alleged that when the
informant went to the house of this petitioner to enquire
about his stolen motorcycle, this petitioner, seeing the
informant started fleeing away. The petitioner was caught by
informant. He disclosed on enquiry the name of his associate,
namely, co-accused Prakash Upadhyay with whom he has



stolen the motorcycle of the informant. He also stated that the alleged stolen motorcycle is lying with co -accused Prakash Upadhyay.

The learned counsel for the petitioner has stated that the alleged stolen motorcycle has not been recovered from possession of this petitioner.

The petitioner does not have any criminal antecedent and he is in custody since 29.8.2018.

Considering the aforesaid, 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 learned Additional Chief Judicial Magistrate-5th at Siwan in connection with Maharajganj P.S. Case No. 161 of 2018,subject to the condition that both the bailers shall be the close relative of the petitioner.

(Sanjay Priya, J)

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