

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52081 of 2018

Arising Out of PS. Case No.-179 Year-2016 Thana- KOTWALI District- Munger

Md. Naushad @ Vakil Ahmad S/o Mumtaj @ Taj Mistry, R/o Vill.-
Baribazar , P.S.- Kotwali, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar Choudhary

For the Opposite Party/s : Mr. Sri Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 04-10-2018

Heard learned counsel for the parties.

Petitioner seeks bail in **Kotwali P.S. Case No. 179 of 2016** registered for the offence punishable under Sections 411, 413, 414 and 401 of the Indian Penal Code.

Allegation against the petitioner is of recovery of stolen motorcycle.

It has been submitted on behalf of the petitioner that the name of the petitioner has surfaced in this case on the basis of confessional statement of a co-accused. Nothing has been recovered from the possession of the petitioner. Similarly, situated co-accused persons have been granted bail by co-ordinate benches of this Court vide orders dated 17.11.2016 in Criminal Miscellaneous No. 47690 of 2016, 07.03.2017 in Criminal Miscellaneous No. 9615 of 2017, 01.05.2017 in



Criminal Miscellaneous No. 15554 of 2017 and 13.07.2017 in Criminal Miscellaneous No. 27315 of 2017. Petitioner is in custody since 02.02.2017.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate-Munger**, in connection with **Kotwali P.S. Case No. 179 of 2016** , with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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