

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10373 of 2019

Arising Out of PS. Case No.-197 Year-2018 Thana- ARIYARI District- Sheikhpura

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SOHRAB KHAN @ MD. SOHRAB KHAN S/o Idris Khan @ Irshad Khan
@ Ishaq Khan @ Md. Ishaq Khan R/o Mohalla- Jamalpur Bigha, P.S-
Sheikhpura, District- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Syed. Rizwanul Haque

For the Opposite Party/s : Mr.Ansar Ul Haque

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

2 21-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
19.11.2018 in connection with Ariyari P.S. Case No. 197 of
2018 for offences punishable under Sections 379/34 of the
Indian Penal Code. Later on Section 414 of the IPC has been
added.

The prosecution case, as lodged by the informant, is
that while he was going to the field he found three unknown
persons unbolting the nut of the motor. On alarm villagers
gathered and caught the petitioner and two others named in the
First Information Report. Later on it was found that the seized
motorcycle recovered from the possession of the petitioner and
two co-accused bears no registration number and is alleged to be
a stolen one.



It has been submitted by the learned counsel for the petitioner that he is innocent, for the alleged stolen motorcycle Pakribarawan P.S. Case No. 258 of 2018 has been lodged against the petitioner, otherwise he bears no criminal history. It is further submitted that nothing has been recovered from the conscious possession of the petitioner and petitioner undertakes to cooperate in the investigation and not to induce witnesses or tamper with the prosecution evidence.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the nature of allegations as well as the period of custody, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Sheikhpura, in connection with Ariyari P.S. Case No. 197 of 2018, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

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