

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8380 of 2019

Arising Out of PS. Case No.-277 Year-2018 Thana- MAHNAR District- Vaishali

MD. ASHIPF @ MD. ASHIF, aged 18 years, Male, S/o Md. Alam, R/O.
Bagmusha, P.S. Nagar Hajipur, district Vaishali, Bihar ... Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner : Mr. Anish Kumar, Adv.

For the Opposite Party : Mr. Abhay Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 14-02-2019 Heard the learned counsel for the petitioner and the
learned counsel appearing for the State.

The petitioner is languishing in judicial custody since 07.10.2018 in connection with Mahanar P.S. Case No. 277 of 2018 corresponding to G.R. No. 5366 of 2018 for the offences alleged under Sections 414, 420 and 34 of the Indian Penal Code.

The prosecution case, as lodged by the police personnel, is that during the course of vehicle checking, they stopped a black motorcycle. While the motorcycle riders tried to flee away they are apprehended who disclosed their names as petitioner and two others. On demand, they could not show any valid paper relating to the ownership of the motorcycle and when it was enquired from the District Transport Office, it was found in the name of one Randhir Kumar, hence, the motorcycle



was alleged to be stolen one. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and has been falsely implicated in the aforesaid case. He submits that it is only on suspicion that he has been made an accused and charge sheet has already been submitted, there being no allegation of tampering with the prosecution witnesses. It is, further, submitted that one of the co-accused apprehended along with the petitioner has since been granted privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 1906 of 2019, dated 15.01.2019.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Mahanar P.S. Case No. 277 of 2018 corresponding to G.R. No. 5366 of 2018 to the satisfaction of the learned Additional Chief Judicial Magistrate, Vaishali at Hajipur, 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)

Shamshad/-

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

