

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8373 of 2019

Arising Out of PS. Case No.-124 Year-2018 Thana- DEODHA District- Madhubani

JUBER SHEKH @ ZOBAIR SEIKH Son of Biltu Shekh Miya Resident of
Village- Yadukoha, P.S.- Yadukoha, District- Dhanusa (Nepal)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav

For the Opposite Party/s : Mr.Pronoti Singh

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

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

Petitioner is languishing in judicial custody since
17.10.2018 in connection with Deodha P.S. Case No. 124 of
2018(CRI Case No. 2130 of 2018) for offences punishable
under Section 379 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that while he had gone to the medical shop in his motorcycle
and left the motorcycle on the road, three persons on a
motorcycle tried to flee away with his motorcycle. One
person(petitioner) was forcefully grounded, who revealed the
name of two other co-accused.

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. It is submitted that nothing has been recovered from the conscious possession of the petitioner and the stolen motorcycle has been recovered from one Ranjit Pokhar. It is further submitted that charge-sheet has already been submitted there being no allegation of tampering with the prosecution witnesses.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner was caught red-handed while fleeing away with the motorcycle.

Considering the nature of allegation and the materials on record, 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 Addl. Chief Judicial Magistrate-IV, Madhubani, in connection with Deodha P.S. Case No. 124 of 2018(CRI Case No. 2130 of 2018), subject to the following conditions :

1. 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.
2. If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to



move the learned court below for cancellation of his
bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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