

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15393 of 2019**

Arising Out of PS. Case No.-696 Year-2017 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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RAJU ANSARI @ ARIF ANSARI Son of Late Mustafa Ansari @ Md.
Mustafa Resident of Village- Bhikanpur Tank Lane, P.S.- Ishakchak, District-
Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Najmul Hodda

For the Opposite Party/s : Mr.Dr. Indihar Kumari

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

2 14-03-2019 Heard learned counsels for the parties.

The petitioner is languishing in custody since 18.11.2017
(though wrongly mentioned in the impugned order as
19.10.2018) in a case registered for the offences punishable
under Section 379 of the I.P.C.

The prosecution case as per the written report of Rajnikant
Raushan submitted to the SHO, Kotwali (Tilkamanjhi) Police
Station is to the effect that on 30.9.2017 at 10.45 P.M. the
informant parked his motorcycle near the clinic of Dr. Kamran
Khan and went to see the idol of Goddess Durga and when he
returned, he found his motorcycle missing, leading to
registration of FIR against unknown. Subsequently, a stolen
motorcycle was recovered from the petitioner which led to his



remand in the present case.

It is submitted by learned counsel for the petitioner that the petitioner is not named in the FIR and the petitioner has not been put on Test Identification Parade till date though the petitioner is accused in one other case.

Learned APP submits that the petitioner used to commit theft and the motorcycle in question has been recovered from his possession.

Considering the fact that the investigation has already been concluded, neither the petitioner nor the recovered motorcycle has not been put on Test Identification Parade and the period under custody, 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 ACJM II, Bhagalpur in connection with Kotwali (Tilkamanjhi) P.S. Case No.699 of 2017.

(Dinesh Kumar Singh, J)

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