

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13429 of 2019

Arising Out of PS. Case No.-11 Year-2018 Thana- PUWAKHALI District- Kishanganj

Naushad @ Naushad Alam, age 44 years, Male, Son of Mohammad Taiyab
Resident of Village - Barthuwa, Ward No. 2 Matiyari, P.S.- Jokihat, District -
Araria.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Md. Naushad Uzzoha, Advocate
For the Opposite Party : Mr.Pancha Nand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 06-03-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 414, 467 and 468 of the Indian Penal Code
registered in connection with Powakhali P.S. Case No. 11 of 2018.

3. It is submitted that the petitioner has been falsely
implicated and his name has transpired on the confessional
statement of co-accused Mahboob Alam except which there is no
material to connect the petitioner with the alleged occurrence. Co-
accused Mahboob Alam has taken shifting stands by changing earlier
version that he had purchased the motor-cycle from the petitioner
whereas the petitioner denies having sold any motor-cycle to any
person and no proof was offered by co-accused Mahboob Alam that
the vehicle had been got transferred in DTO Office at Kishanganj in
his name. No incriminating articles have been recovered from the
possession of the petitioner. The petitioner is also an accused in a
case of different nature.

4. Be that as it may, in the event of the petitioner's arrest
or surrender before the court below within six weeks from the date of



communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Powakhali P.S. Case No. 11 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and with further conditions --

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

BT/Chandran

(Vikash Jain, J)

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