

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16739 of 2019

Arising Out of PS. Case No.-337 Year-2018 Thana- KHAJEKALA District- Patna

MD. GUDDU @ AZHAR Son of Serajuddin, Resident of Barkat Khan ka
AKhara, P.S-Khajekalan, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Digamber Kr. Singh

For the Opposite Party/s : Mr.Tapeshwar Sharma

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
21.09.2018 in a case registered for the offences punishable
under Section 379 of the Indian Penal Code. Subsequently,
Section 411 of the I.P.C. was also added.

The prosecution case got initiated on the basis of
written report of Ajay Kumar submitted before the Station
House Officer, Khajekala Police Station is to the effect on
18.09.2018 at 1.00 P.M., the informant parked his motorcycle
in front of a general store and went to bring vegetable, but
after five minutes, when he returned, he found his motorcycle
missing, leading to registration of FIR against unknown.
Subsequently, during investigation, the name of the petitioner



sprang up.

It is submitted by learned counsel for the petitioner that the petitioner has maliciously been framed in the present case and the investigation has already been concluded. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State submits that recovery of stolen motorcycle has been made from the conscious physical possession of the petitioner.

Considering the nature of accusation and the period under custody, let the above named petitioner 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 learned SDJM, Patna City in connection with Khajekala P.S. Case No. 337 of 2018.

(Dinesh Kumar Singh, J)

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