

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19138 of 2019

Arising Out of P.S. Case No.-828 Year-2018 Thana- TURKAULIYA District- East
Champaran

MD. MERAJ, aged 20 years (M), Son of Oliullah, Resident of Village-Siswa,
P.S.-Banjariya, District-East Champaran, Motihari.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 01-04-2019 Heard the learned counsel for the petitioner and
learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since
13.12.2018 in connection with Turkauliya (Banjaria) P.S.Case
No.828 of 2018 for the offence alleged under Sections 379, 411
and 414 of the Indian Penal Code.

The prosecution case as lodged by the informant is
that he had parked his motorcycle outside his house and after
ten minutes, it was found stolen.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal antecedent and
has been falsely implicated in the aforesaid case only on the
basis of confessional statement of co-accused Sharwan Kumar
who was apprehended along with Nitesh Kumar Pandey with
the stolen motorcycle. He submits that the Pulsar Bajaj



motorcycle recovered from the house of the petitioner did not relate to the present case. Chargesheet has been submitted, there being no allegation of tampering with the prosecution evidence and the petitioner is languishing in judicial custody since more than three months.

However, learned APP for the State opposes the prayer for bail.

Considering the nature of allegations and the materials on record as well as that the petitioner does not bear any criminal antecedent as stated in para-3 of the present application, 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 Turkauliya (Banjaria) P.S.Case No.828 of 2018 to the satisfaction of learned Chief Judicial Magistrate, East Champaran, at Motihari, 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)

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