

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20523 of 2019

Arising Out of PS. Case No.-851 Year-2018 Thana- ARARIA District- Araria

Mahmood Alam @ Md. Mahmood @ Mahmood, Son of Sawood Alam
Resident of Village - Sangora, P.S.- Palasi, Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh

For the Opposite Party/s : Mr.Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since 23.12.2018
in a case registered for the offences punishable under Sections
379/411 of the Indian Penal Code.

The prosecution case is that the informant,
Dinesh Thakur parked his motorcycle in the
premises of Primary Health Centre, Araria at 11.00 A.M. and at
12.30 P.M., he found his motorcycle missing, leading to
registration of FIR against unknown. During investigation, the
petitioner was apprehended and made confession and
consequently the informant's motorcycle was recovered from
the possession of the petitioner.

It is submitted by learned counsel for the petitioner
that the petitioner is bonafide purchaser of the said motorcycle
and he had no knowledge about the motorcycle being stolen



one. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the recovery has been made from the possession of the petitioner and he has made confession.

Considering the fact that the investigation has already been concluded and statement being made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, 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 Chief Judicial Magistrate, Araria in connection with Araria (R.S.) P.S. Case No. 851 of 2018.

(Dinesh Kumar Singh, J)

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