

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37156 of 2019

Arising Out of PS. Case No.-160 Year-2019 Thana- KISHANGANJ District- Kishanganj

HAFIZUL HAQUE, aged about 22 years, Male, Son of Mahabur Rahaman @ Mehtur Rahman, Resident of Village - Lahra (Chakla Ghat), Ward no.08, P.S.- Kishanganj, Dist.- Kishanganj. (Bihar) ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Pawan Kumar Singh, Adv.
For the Opposite Party : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 20-06-2019 Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the State.

The petitioner is languishing in judicial custody since 23.03.2019 in connection with Kishanganj P.S. Case No. 160 of 2019 for the offence alleged under Section 414 of the Indian Penal Code.

The prosecution case, as lodged by the police personnel, is that on secret information that a stolen motorcycle is parked in the garage of one Javed, the police conducted a raid and found the stolen motorcycle. The said co-accused, Javed, disclosed the name of the petitioner, who had brought the said motorcycle for repairing. The police apprehended the petitioner from his house on such confession. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the



petitioner that he is innocent, bears no criminal antecedent, the motorcycle do not belong to him neither he had taken the said motorcycle to the garage of co-accused, Javed, and only on confession of the said co-accused the petitioner has been made accused in the present case. He submits that the petitioner languishing in judicial custody since three months.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail.

Considering the nature of allegations, the period of custody and the statement made in paragraph 3 that the does not bear any criminal antecedent, 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 Kishanganj P.S. Case No. 160 of 2019 to the satisfaction of the learned Chief Judicial Magistrate, Kishanganj, or the successor Court.

(Nilu Agrawal, J)

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