

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.40388 of 2019**

Arising Out of PS. Case No.-95 Year-2019 Thana- JOKIHAT District- Araria

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RAHMAT ALI @ NIHAL Son of Ali Imam Khan @ Aliman Khan Resident  
of Mohalla - Kalighat Bazidpur, P.S.- Laheriasarai, Distt - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Iqbal Asif Niazi

For the Opposite Party/s : Mr.Mukesh Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      02-07-2019                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner seeks bail in a case instituted for the  
offences under Sections 279 and 414 of the Indian Penal Code.

Prosecution allegation, in short, is that while the  
informant was on patrolling duty, one seeing police, the accused  
persons started fleeing away but was apprehended and one  
accidental stolen vehicle was recovered.

It has been submitted on behalf of the petitioner that  
the petitioner is in custody since 13.3.2019. Charge-  
sheet/prosecution report has been submitted in this case. There  
is no allegation of tampering of witnesses alleged against the  
petitioner. As far as section 279 IPC is concerned, the same is a  
bailable offence. The petitioner has been made accused due to



mistake of fact. The petitioner had no knowledge that car in question was stolen property.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds 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 Jokihat P.S. Case No. 95 of 2019.

**(Sudhir Singh, J)**

Pankaj/-

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