

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53214 of 2018**

Arising Out of PS. Case No.-163 Year-2011 Thana- HATHAURI District- Muzaffarpur

Md. Taz Ansari son of Md. Shafaque @ Md. Shafaque Ansari r/o village
Narkatiya, P.S. Hathauri, Distt. Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumari Sujata Sinha

For the Opposite Party/s : Mr.Sri Madan Kumar

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

6 09-04-2019 Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offence punishable under Section 414 of the IPC.

The prosecution case based upon the self-statement of Ramashraya Yadav, SHO, Hathauri Police Station, is to the effect that during investigation of a case, secret information was received that a robbed motorcycle is parked in front of the door of co-accused Safi Mohammad, and on raid being laid, the motorcycle in question was recovered from in front of the door of co-accused Safi Mohammad but subsequently, he submitted an affidavit to the effect that he was the driver of the petitioner and the motorcycle in question was given to him by the petitioner.

It is submitted by learned counsel for the petitioner that



the recovery of motorcycle in question has been made from in front of the door of co-accused Safi Mohammad.

Learned APP, after going through the case diary, submits that the recovery was made from in front of the door of co-accused Safi Mohammad but he submitted an affidavit to the effect that the said motorcycle was given to him by the petitioner.

Considering the fact that recovery of motorcycle in question has been made from in front of the door of co-accused Safi Mohammad and statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-cum-Chief Judicial 10th, Muzaffarpur in connection with Hathauri P.S. Case No.163 of 2011 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

anil/-

U			
---	--	--	--

