

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45755 of 2019

Arising Out of PS. Case No.-187 Year-2018 Thana- THAWE District- Gopalganj

YUSUF, Son of Shekh Alisher R/o Village- Bagaha Saida, P.S.- Thawe,
District- Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Pandey

For the Opposite Party/s : Mr.Shantanu Kumar

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 24-07-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Thawe P.S. Case no. 187 of 2018, registered under Section
379/34 of the Indian Penal Code.

The accusation is that while informant Ashok
Kumar was returning home by his motorcycle on 14.08.2018
and, in the way, he stopped his motorcycle and moved from
there to attend call of nature. When informant returned then
found his motorcycle was not there. Thereafter, he started
searching his motorcycle and a Panchayati was arranged then
he come to know from Sahim Mukhiya that his motorcycle has
been stolen by the petitioner and one Zeaul Haque.

Learned counsel for the petitioner submits that it



would appear from the F.I.R. that occurrence is said to be committed on 14.08.2018 and present case has been lodged on 13.09.2018 after one month. Further submission is that, in fact, Sahim Mukhiya, who disclosed the name of the petitioner regarding stolen motorcycle of the informant, is pattidar of the petitioner and due to election enmity, he disclosed the name of the petitioner. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gopalganj in connection with Thawe P.S. Case No. 187 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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