

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48687 of 2019

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

ZIAUL HAQUE Son of Noorul Hoda Resident of Village - Jagmalwa, P.S.-
Thawe, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Javed Aslam

For the Opposite Party/s : Mr.Renu Kumari

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 09-08-2019 Heard learned counsel for the petitioner and the
State.

The petitioner seeks bail in **Thawe P.S. Case No. 187 of 2018**, instituted for the offence under Section(s) 379/34 of the Indian Penal Code.

Counsel for the petitioner submits that alleged date of occurrence is 14.8.2018 and the First Information Report has been lodged on 13.9.2018 after delay of 30 days.

In the written report the informant has alleged that his Motorcycle was stolen in the village when he had gone for natural call after parking his Motorcycle. He was coming to his house with Motorcycle from *Kabilashpur Bazar*. The informant informed about theft of his Motorcycle to *Mukhiya, Sarpanch* etc. A *panchayti* was called. In the *Panchayti* Sahim



Mukhiya and Deepak Kumar told that petitioner and Yusuf had taken his Motorcycle.

Counsel for the petitioner submits that petitioner has been implicated in the case merely on suspicion. There is no specific allegation of overt act against the petitioner. There is no recovery from his conscious possession.

Petitioner is in custody since 8.6.2019 having clean antecedent.

Considering the aforesaid facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner above named, 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, Gopalganj**, in connection with **Thawe P.S. Case No. 187 of 2018**, subject to the condition that both the bailors will be the close relatives of the petitioner.

(Sanjay Priya, J)

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