

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49548 of 2019

Arising Out of PS. Case No.-51 Year-2019 Thana- DARAUNDA District- Siwan

MUMTAZ KHAN, aged about 35 years, Male, s/o Nasrullah Kha, R/O Village- Khajepur, P.S.- M.H. Nagar, District- Siwan.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Prakash Chandra Jha, Advocate.
For the Opposite Party : Mr.Nawal Kishore Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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

The petitioner is languishing in custody since 18.03.2019 in a case for the offence registered under Sections 413, 414 and 420/34 of the IPC.

The prosecution story, in brief, is that on the basis of statement of Saddam Khan, raid was made at the house of this petitioner and stolen Motorcycle was recovered having no registration number.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. One Motorcycle is said to have



been recovered from the house of the petitioner. The petitioner had no knowledge that the Motorcycle in question is stolen a property. He has been made accused in the present case due to mistake of fact. There is no compliance of Section 100 of Cr. P.C.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let 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 the learned C.J.M., Siwan, in connection with Darounda (M.H. Nagar) P.S. Case No. 51 of 2019.

(Sudhir Singh, J)

U.K./-

U		T	
---	--	---	--

