

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69048 of 2019

Arising Out of PS. Case No.-896 Year-2018 Thana- KOTWALI District- Patna

Md. CHANGU @ MD. WASIM Son of Md. Salim Resident of Village -
Chhoti Khagaul, P.S.- Khagaul, Distt - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Tiwary

For the Opposite Party/s : Mr.Bharat Bhushan

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 04-12-2019 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner seeks bail in a case registered under
Sections 401, 411, 413, 414, 379 and 120B of the Indian Penal
Code.

One accused namely Manthan Kumar was
apprehended who disclosed selling out of 150 stolen motorcycle
by his gang member. On his disclosure, police raided the house
of Golu @ Parvej and recovered 9 stolen motorcycle from the
aforesaid place and apprehended five named accused persons
including one Aatish Kumar and on the indication of said Aatish
Kumar, he raided the house of Md. Rizwan and recovered one
motorcycle and scooty from there and apprehended three



persons including the petitioner from the said house.

It is submitted by learned counsel for the petitioner that the petitioner has no concern with the aforesaid occurrence. He has been falsely implicated in this case merely on suspicion while he had paid visit to the house of Md. Rizwan at the time of occurrence. No incriminating article has been recovered from the conscious physical possession of the petitioner. There is nothing on record indicating the complicity of the petitioner in the occurrence barring the confessional statement of co-accused Manthan Kumar which has no evidentiary value in the eye of law. He had no criminal antecedent preceding the case under hand. Though he has been remanded in some other cases after his arrest in this case but he is on bail in the aforesaid cases. Petitioner has been languishing in custody since 26.12.2018. Md. Rizwan has been enlarged on regular bail by a co-ordinate Bench of this Court vide order dated 18.11.2019 passed in Cr. Misc. No. 68247 of 2019 while Manthan Kumar and Vishal Kumar have also been enlarged on regular bail by different co-ordinate Benches of this Court.

Having regard to the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with



two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Patna in connection with Kotwali P.S. Case No. 896 of 2018.

(Prakash Chandra Jaiswal, J)

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