

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70739 of 2019**

Arising Out of PS. Case No.-384 Year-2019 Thana- SUGAULI District- East Champaran

Md. Zakir Son of Md. Ekbal @ Aqbal Resident of Village- Jhumka, P.S.-
Sikta, District- West Champaran ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr.Anshu Dhar Sharma, Advocate

For the Opposite Party : Mr.Abhay Kumar Roy, Addl Public Prosecutor

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

4 04-12-2019 Heard learned counsel for the parties.

Petitioner is an accused in a case registered for the offence punishable under section 414 of the Indian Penal Code.

Police, on chase, arrested the petitioner with a stolen motorcycle.

Learned counsel for the petitioner submits that the petitioner is a bonafide owner of the motorcycle and he was arrested merely on suspicion before transfer of papers of the motorcycle in his name. Petitioner has got no criminal antecedent and he is in custody since 13.9.2019. Charge sheet has also been filed in the case, as such, there is no chance of tempering with the evidence.

In view of the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner, mentioned above, 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 the Chief Judicial Magistrate, Motihari, East Champaran in Sugauli Police Station Case No. 384 of 2019, on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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