

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2153 of 2020

Arising Out of PS. Case No.-564 Year-2019 Thana- FORBESGANJ District- Araria

Meharban Ansari Son of Tahir Ansari, Resident of Village- Ghuski, Ward No. -6, P.S.- Harinagra, District- Sunsari (Nepal).

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh, Advocate
For the Opposite Party/s : Mr.Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 16-01-2020 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Forbesganj P.S. Case No. 564 of 2019 registered for the offences punishable under Section 379 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that nothing incriminating article has been recovered from the conscious possession of the petitioner or his house rather the alleged motorcycle was recovered from a garage and the petitioner has got no concern with the alleged recovered motorcycle as well as co-accused. Petitioner is in custody since 12.07.2019.



Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, the submission of learned counsel for the petitioner that there is no recovery of any stolen material/article from the possession of the petitioner, he has been made accused in this case on mere suspicion and thereafter he has been taken on remand in four other cases and has been remanded in Forbesganj P.S. Case No. 681 of 2019 and further submission that the petitioner is languishing in jail custody since 12.07.2019 and remanded in this case on 17.09.2019 but till date no Test Identification Parade has been conducted and there is neither any identification nor any recovery of incriminating article, in the nature of submission, let the petitioner above named be released on bail in connection with Forbesganj P.S. Case No. 564 of 2019 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence



similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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