

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14881 of 2020

Arising Out of PS. Case No.-67 Year-2018 Thana- GAUNAHA District- West Champaran

Taufique Mian @ Taufique Alam, aged about 40 years, Male, S/o Israfil Khan
@ Isharafil Khan, resident of village- Dainmarwa, P.S.- Ramnagar, District-
West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate
For the Opposite Party/s : Mr. Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 09-06-2020

The matter has been heard *via* video conferencing due
to lockdown imposed on account of the COVID-19 pandemic.

2. Heard Mr. Sanjeev Kumar, learned counsel for the
petitioner and Mr. Dashrath Mehta, learned Additional Public
Prosecutor (hereinafter referred to as the 'APP') for the State.

3. The petitioner is in custody in connection with
Gaunaha P.S. Case No.67 of 2018 dated 27.06.2018 instituted
under Sections 420, 467, 468, 471, 413, 414 & 34 of the Indian
Penal Code.

4. The allegation against the petitioner and others is
of dealing with the stolen vehicle.

5. Learned counsel for the petitioner submitted that
initially one Rafique Mian was caught by the police with a
stolen Bolero vehicle and he had revealed that the petitioner and



one Vikash Kumar had sold the vehicle to him. It was further revealed that others were also sold stolen vehicles by the petitioner and Vikash Kumar and from them also there has been recovery of stolen vehicles and they had also revealed that the petitioner and Vikash Kumar had sold them the vehicles. It was submitted that Vikash Kumar was caught by the police with a stolen vehicle and he had stated about three persons of Muzaffarpur from whom he and the petitioner used to get the vehicles for selling at cheap rate to various persons. Learned counsel submitted that the allegation, thus, against the petitioner and Vikash Kumar is that they were middlemen, as the vehicles were stolen by three other persons of Muzaffarpur for onward sale to various persons. Learned counsel submitted that many persons have been granted bail, including Vikash Kumar, in Cr. Misc. No.60299 of 2018 by order dated 08.10.2018 and Cr. Misc. No.62731 of 2018 by order dated 20.11.2018. It was submitted that there has been no recovery from the petitioner and he himself surrendered on 09.12.2019 and there is one other case against him.

6. Learned APP submitted that the allegation against the petitioner is also of dealing in stolen vehicles. However, he could not controvert the fact that from the petitioner there is no recovery.



7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bond of Rs.25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the C.J.M., Bettiah, West Champaran, in Gaunaha P.S. Case No.67 of 2018, subject to the conditions (i) that one of the bailors shall be a close relative of the petitioner, (ii) that the petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner, and (iii) that the petitioner shall also give an undertaking to the Court that he shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or being absent on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

8. The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J)

J. Alam/-

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