

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22808 of 2020

Arising Out of PS. Case No.-440 Year-2019 Thana- GOPALGANJ TOWN District-
Gopalganj

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MOYEN ALI @ MOYEN AHMAD Son of Shah Alam Resident of Village-
Duldulia, Police Station-Manjhagarh, District-Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh
For the Opposite Party/s : Mr.A.G

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(The proceedings of the Court are being conducted through Video
Conferencing and the Advocates joined the proceedings through
Video Conferencing from their residence.)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 10-09-2020 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 414, 411/34 of the Indian
Penal Code.

Allegation is recovery of one stolen motorcycle from
the possession of the petitioner.

It has been submitted on behalf of the petitioner that
he is innocent and has falsely been implicated in this case at the
instance of his enemies. Petitioner is not named in the FIR and
his name has surfaced in this case on the confessional statement
made by the co-accused Roshan Ali and except the said



confessional statement, there is no any other incriminating material against the petitioner. Similarly placed co-accused Meraj Khan has already been granted bail by a co-ordinate Bench of this Court as contained in Annexure-2. Petitioner has no criminal antecedent and he is in custody since 09.09.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Gopalganj Town P.S. Case No. 440 of 2019, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case,



prosecution will be at liberty to move for
cancellation of bail of the petitioner.

(S. Kumar, J)

Rajiv/-

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