

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25512 of 2020

Arising Out of PS. Case No.-524 Year-2018 Thana- HARSIDHI District- East Champaran

SANAUR KHAN @ SANOWAR KHAN Son of Anwar Khan Resident of
Village - Jharwa, P.S.- Harsidhi, District - East Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Nafisuz Zoha, Advocate

For the Opposite Party/s : Mr. Binod Shanker Modi, APP.

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 28-09-2020 . As of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through Video Conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual court proceedings from their homes, all with the aid of audio visual technology.

Heard learned Counsel for the petitioner and the learned Counsel for the State.

. This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Harsidhi PS Case No. 524 of 2018, S.Tr. No. 491 of 2019 registered under Sections 413 and 414 of the IPC.

The allegation is of dealing and concealment of stolen



property by the petitioner along with others. The stolen motorcycle was recovered from co-accused Munna Thakur.

The petitioner's implication is based on statement of co-accused persons. Co-accused Munna Thakur has been allowed bail in Cr. Misc. No. 32496 of 2019. Co-accused Bachcha Thakur has been enlarged on bail in Cr. Misc. No. 31025 of 2019. Though the petitioner is accused in other cases also, it is his submission that he has been remanded in this case on 16.2.2019 from Harsidhi PS Case No. 10 of 2019. Other than confessional statement of co-accused there is no recovery of any incriminating material to sustain implication against the petitioner.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of CJM Motihari, East Champaran in Harsidhi PS Case No. 524 of 2018, S. Tr. No. 491 of 2019 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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