

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31272 of 2020

Arising Out of PS. Case No.-14 Year-2020 Thana- TURKAULIYA District- East Champaran

MD. NEYAZ ALAM @ TIGER, Son of Bhola Sai, Resident of Village-
Parsurampur, P.S.- Turkauliya, District - East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Abhishek Kumar, Advocate.

For the Opposite Party : Mr. Jitendra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-12-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading 'For
Orders' under the orders of Hon'ble the Chief Justice.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks after restoration of normalcy.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 401, 413 and 414 of the I.P.C.

The prosecution story, in brief, is that on 07.01.2020
on secret information, the informant arrested three persons,
namely, Md. Neyaz Alam @ Tiger (petitioner), Mansoor Alam



and Tapeshe Manjhi who were riding on a Motorcycle. On search, a knife was recovered from possession of co-accused Mansoor Alam. They disclosed that the Motorcycle is of theft and they were going to search the purchaser for sale and they have kept the knife for the purposes of committing offence by showing the knife and they have admitted that they have committed theft of Motorcycle previously and they have sold the same in Nepal.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 08.01.2020. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner had no knowledge that the Motorcycle in question was a stolen property. There is no compliance of Section 100 of Cr. P.C. The petitioner has remained in custody for more than nine months. Except for Section 413, other sections are triable by the Magistrate.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the facts and circumstances of the case, the petitioner above named, is directed to 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 the learned Chief Judicial Magistrate, Motihari, East Champaran, in connection with Turkauliya P.S. Case No. 14 of 2020.

(Sudhir Singh, J)

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